CA2ALAG 6
S97
1938

ALBERTA LEGISLATURE LIBRARY
3 3398 00461 3849

LEGISLATURE LIBRARY
EDMONTON
VAULT 19

Synopsis of Statutes of General Application

ENACTED AT THE
SIXTH SESSION
OF THE
EIGHTH LEGISLATURE

February 10th to April 8th, 1938

Prepared by
R. ANDREW SMITH, K.C.
Legislative Counsel and Law Clerk

—and—

Published by Order of the
Legislative Assembly of Alberta.

EDMONTON
A. SHNITKA, King's Printer
1938

PROVINCE OF ALBERTA

HIS HONOUR JOHN C. BOWEN,
Lieutenant Governor

MEMBERS OF THE EXECUTIVE COUNCIL

HON. WILLIAM ABERHART,
Premier, Minister of Education and Attorney General

HON. E. C. MANNING,
Provincial Secretary and Minister of Trade and Industry

HON. SOLON E. LOW,
Provincial Treasurer

HON. D. B. MULLEN,
Minister of Agriculture

HON. DR. W. W. CROSS,
Minister of Health

HON. N. E. TANNER,
Minister of Lands and Mines

HON. W. A. FALLOW,
Minister of Public Works

HON. LUCIEN MAYNARD,
Minister of Municipal Affairs

ROBERT A. ANDISON,
Clerk of the Legislature,
Clerk of the Executive Council.

INDEX

Page

Agricultural Land Relief Act 8
Agricultural Relief Advances Act, 1938 36
Alberta Architects Act, 1938 77
Alberta Hail Insurance Act 16
Alberta Insurance Act, 1926, Amendment Act, 1938 54
Alberta Municipal Assessment Commission Act Amendment Act, 1938 71
Alberta Social Credit Realization Act 5
Alberta Social Credit Act Repeal Act 7
An Act to Ratify a Certain Agreement between the Government of the Dominion of Canada and the Government of the Province of Alberta 14
Appropriation Act, 1938 5
Assessment Act 67
Banking Corporations Temporary Additional Taxation Act 11
Bills of Sale Act Amendment Act, 1938 31
Bread Act Amendment Act, 1938 53
Bull Exchange Act 43
Bureau of Relief and Public Welfare Act Amendment Act, 1938 58
Coal Mines Regulation Act Amendment Act, 1938 75
Conditional Sales Act Amendment Act, 1938 33
Controverted Municipal Elections Act Amendment Act, 1938 71
Co-operative Marketing Associations Guarantee Act Amendment Act, 1938 52
Corporations Taxation Act Amendment Act, 1938 14
Corporations Temporary Additional Taxation Act Amendment Act, 1938 18
Credit Union Act 21
Crop Payments (Irrigated Land Sales) Act 39
Dairymen's Act Amendment Act, 1938 44
Debt Adjustment Act, 1937, Amendment Act, 1938 26
Debt Proceedings Suspension Act 26
Department of Education Act Amendment Act, 1938 33
Department of Trade and Industry Act Amendment Act, 1938 46
Didsbury and District General Hospital Act 60
Domestic Animals Act (Municipalities) Amendment Act, 1938 72
Domestic Animals (Unorganized Territory) Act, Amendment Act, 1938 43
Drainage Districts Act Amendment Act, 1938 44
Electric Power Taxation Act Amendment Act, 1938 12
Elevator Overages Act 61
Farm Cultivation Lien Act 41
Fort Saskatchewan Hospital Fund Act Amendment Act, 1938 77
Garagemen's Lien Act Amendment Act, 1938 32
Grain Buyers Licensing Act 12
Home Owners Security Act 29
Horned Cattle Purchases Act 41
Hospitals Act, 1938 62
Hours of Work Act Amendment Act, 1938 46
Improvement Districts Act, 1927, Amendment Act, 1938 66
Income Tax Act Amendment Act, 1938 19
Industrial Conciliation and Arbitration Act 48
Industrial Standards Act Amendment Act, 1938 47
Irrigation Rates and Drainage Rates Penalties Act, 1938 45
Legislative Assembly Act Amendment Act, 1938 77
Limitation of Actions Act, 1935, Amendment Act, 1938 28
Loan Act, 1938 5

Page
Local Authorities Borrowings Guarantee Act, 1937, Amendment Act, 1938 71
Local Tax Arrears Consolidation Act, 1935, Amendment Act, 1938 70
Male Minimum Wage Act Amendment Act, 1938 51
Mineral Taxation Act, 1938 7
Mining Industry Wages Security Act 72
Municipal District Act Amendment Act, 1938 65
Municipal Hospitals Act, 1929, Amendment Act, 1938 59
Oil and Gas Conservation Act 15
Old Age Pensions Act, Alberta, Amendment Act, 1938 20
Olds and District General Hospital Act 60
Pharmaceutical Association Act Amendment Act, 1938 77
Pipe Line Taxation Act Amendment Act, 1938 11
Poliomyelitis Sufferers Act 58
Postponement of Debts Act Repeal Act 26
Provincial Lands Act Amendment Act, 1938 76
Public Health Act Amendment Act, 1938 59
Public Highways Act, 1929, Amendment Act, 1938 55
Public Service Act Amendment Act, 1938 36
Public Service Vehicles Act Amendment Act, 1938 56
Public Utilities Act, 1923, Amendment Act, 1938 72
Public Works Act Amendment Act, 1938 55
School Act, 1931, Amendment Act, 1938 33
School Assessment Act, 1931, Amendment Act, 1938 36
School Districts Relief Act Amendment Act, 1938 36
School Grants Act Amendment Act, 1938 36
Securities Tax Act, 1938 10
Seed Grain and Other Advances Security Act, 1936, Amendment Act, 1938 45
Seizures Act Amendment Act, 1938 31
Special Areas Act, 1938 74
Stallion Enrolment Act Amendment Act, 1938 44
Stock Inspection Act, 1922, Amendment Act, 1938 42
Succession Duty Act, 1934, Amendment Act, 1938 19
Summary Convictions Act Amendment Act, 1938 31
Superannuation Act Amendment Act, 1938 54
Tax Recovery Act, 1938 69
Theatres Act Amendment Act, 1938 52
Town and Village Act Amendment Act, 1938 63
Town Planning Act, 1929, Amendment Act, 1938 56
Tradesmen's Qualification Act Amendment Act, 1938 51
Treasury Department Act Amendment Act, 1938 72
Unearned Increment Tax Act Amendment Act, 1938 19
Unemployment Relief Act, 1933, Continuation Act, 1938 72
Vehicles and Highway Traffic Act Amendment Act, 1938 52
Vendors and Mortgagees Costs Exaction Act 30
Water Resources Act Amendment Act, 1938 76
Wild Lands Tax Act, 1938 13
Workmen's Compensation Act 23
Workmen's Compensation Board (Additional Duties) Act 26

SYNOPSIS OF STATUTES OF GENERAL APPLICATION

ENACTED AT THE SIXTH SESSION OF THE EIGHTH LEGISLATURE

APPROPRIATION ACT, 1938 (Chapter 1). This Act provides for the payment out of the General Revenue Fund of $10,872.50 on account of expenditures for the fiscal year ending the 31st March, 1937; and for the payment out of the General Revenue Fund of $777,814.05 on account of expenditures for the fiscal year ending the 31st March, 1938; and for the payment out of the General Revenue Fund of a sum not exceeding $22,184,804.20 on account of expenditures of the Public Service for the fiscal year ending the 31st March, 1939.

This Act came into force on March 31, 1938.

LOAN ACT, 1938, (Chapter 2.) This Act authorizes the Lieutenant Governor in Council to raise by way of loan, a sum of not more than $1,560,000.00, upon the credit of the General Revenue Fund.

This Act came into force on April 8th, 1938.

ALBERTA SOCIAL CREDIT REALIZATION ACT, (Chapter 3). This Act constitutes as a Board to be known as The Social Credit Board, the following members of the Legislative Assembly, namely: G. L. MacLachlan, M.L.A., F. M. Baker, M.L.A., Dr. J. L. McPherson, M.L.A., W. E. Hayes, M.L.A., and A. J. Hooke, M.L.A., and the first named is appointed as Chairman.

The Board is authorized and empowered to devise ways and means for the evaluation, conservation, enhancement, advancement and realization of the Social Credit of the People of the Province, and is empowered for that purpose:

(a) to consider, formulate and adopt policies and for that purpose to make such enquiries and investigations as

the Board may deem necessary or desirable, and to recommend to the Lieutenant Governor in Council the adoption of such policies as to the Board seems from time to time to be advisable;

(b) to formulate and with the approval of the Lieutenant Governor in Council to adopt and carry out such measures as the Board from time to time considers advisable for the purpose of affording to the People of the Province authoritative information as to any policy adopted by the Board and as to the measures being taken for the realization of any such policy;

(c) to formulate and with the approval of the Lieutenant Governor in Council to adopt and carry out such measures as appear to the Board to be advisable for the purpose of counteracting any action or influence likely to impair or jeopardize the Social Credit of the Province or any policy adopted for the realization of the Social Credit of the People of the Province or the realization of such Social Credit;

(d) with the approval of the Lieutenant Governor in Council to enter into agreements for the use of any facilities for the public distribution of information or instruction required by the Board for the purpose of informing or educating the People of the Province as to any policy of the Board or any matter or thing relating or incidental thereto;

(e) to seek for and obtain advice and assistance from any person in any place in relation to the exercise by the Board of any of the powers and duties conferred or imposed by this Act upon the Board, and for that purpose with the approval of the Lieutenant Governor in Council, to make such journeys as may be necessary;

(f) with the approval of the Lieutenant Governor in Council to appoint such technicians, special examiners, statisticians, clerks and other employees as may be required by the Board from time to time for the proper exercise of its powers and duties and to fix the remuneration and prescribe the duties of any person so appointed;

(g) to make such rules and regulations as to the manner in which the business and affairs shall be conducted, and as to the manner in which persons employed by the Board shall discharge their duties and functions.

A quorum of the Board consists of three members, and the Chairman thereof is declared to be the chief executive officer of the Board with general supervision of its activities. The Board is empowered to delegate to any member or members any power or duty conferred on the Board.

It further provides that the Board shall be deemed to be a committee for the purposes of section 14 of The Legislative Assembly Act and as such entitled to receive travelling expenses and subsistence.

Other provisions give the Board the necessary and incidental powers for carrying out the objects for which it is appointed.

This Act came into force on March 31, 1938.

ALBERTA SOCIAL CREDIT REPEAL ACT, (Chapter 4). This Act repeals the Alberta Social Credit Act, Chapter 10 of 1937.

This Act came into force on April 8th, 1938.

MINERAL TAXATION ACT, 1938 (Chapter 5). This Act provides for the imposition of a tax on minerals other than minerals held under lease or license from the Crown in the right of the Dominion or the Province, and other than minerals within the corporate bounds of cities and towns other than mining towns and minerals in land forming the right-of-way of a railway, at the rate of one-third of one per cent per acre on the surface area of the parcel of land containing the same, payable by the person who has the right to search for, win and get the minerals. The tax falls due on the first day of August in each year.

Every person who has the right to search for, work, win or get any mineral under any land, whether he derives such right from any grant, license or otherwise, either from the Dominion or the Province, or possesses the same by virtue of a reservation or exception thereof or as an incident to a part of the ownership of land, is required to deliver a return to the Minister as to the parcels of land containing minerals in respect of which he is taxable, before the first day of September in each year, and to pay therewith the amount of the taxes due from him.

A penalty of ten per cent of the tax is imposed for failure to pay the tax before the first day of September in any year.

In case default is made in the payment of the tax, provision is made for notification of

the default being sent by registered mail by the Minister to the mineral owner.

In case default is made in the payment of the tax for three months, after the sending of the notification, the Minister is required to notify the Registrar of the proper Land Registration District of the non-payment and thereupon the Registrar is to enter upon the certificate of title to the land a memorandum to the effect that the minerals have become the property of the Crown in the right of the Province, and thereupon such minerals become the property of the Crown, together with the right to work, win and get the same subject to the liability to compensate surface owners.

The mineral owner may redeem the minerals by paying the taxes at any time before the first day of March next following the making of the memorandum above referred to.

A mineral owner is enabled to surrender any minerals owned by him to the Province and upon such surrender being made he is exempted from taxation in respect of such minerals.

The tax is made recoverable by suit or by distress.

A mineral owner who duly pays the tax payable under The Corporations Taxation Act is exempted from taxation under this Act in respect of any quarter section or river lot which is being worked or developed by such owner with the object of extricating minerals therefrom.

The above provisions are not to apply to parcels of land less than ten acres in extent where the ownership of the surface and minerals are not separated.

The Lieutenant Governor in Council is empowered to exempt from the application of this Act any class of persons which by reference to the quantity of land granted or the smallness of the pecuniary consideration paid therefor can be fairly classified as homesteaders.

Any exemption given to any person pursuant to any of the foregoing provisions enures to the benefit of the widow, lineal descendents and assigns.

This Act came into force on April 8, 1938.

AGRICULTURAL LAND RELIEF ACT (Chapter 6). By this Act seven undivided one-hundredth parts of all agricultural produce becomes vested in the Crown in the right of the Province on the first day of the month next following the month in which the Act is proclaimed to be in force.

"Agricultural produce" is defined as wheat, oats, rye, barley, flax, peas, beans, hay,

alfalfa, sugar beets, potatoes, grass seed, clover seed, alfalfa seed, eggs, honey, horses, cattle, sheep, swine, poultry, geese, dairy produce and wool.

The amount of agricultural produce so vested in the Crown is collected only in case such produce is sold by the producer thereof to a primary dealer, that is a person who in the course of and as a part of his business purchases agricultural produce from the producer thereof or deals in or handles or processes any agricultural produce for the producer thereof.

Upon the sale of any agricultural produce by a producer to a primary dealer, the primary dealer is placed under an obligation to retain the amount of such produce which is the property of the Crown and to account therefor to the Minister of Municipal Affairs.

In case any producer desires to ship his produce to a point outside the Province, he is required to give the Minister notice thereof and obtain a permit from the Minister and the Minister is empowered to give direction as to the delivery to him of the portion thereof belonging to the Crown.

Further provision is made for the exemption from taxation of all agricultural land which is exempt from taxation under The Wild Land Tax Act, 1938, and is in the occupation of an agricultural producer and is actually used for the purpose of agricultural production, and the secretary treasurer or other officer of the municipality in which such land is situate is required to make an entry on the assessment roll of the fact that such land is exempt.

Further provision is made for appeals by persons who claim exemption in respect of land which has not been exempted on the assessment roll and by persons who allege that land has been improperly exempted.

The Minister is empowered to direct the removal of such exemption in cases where land has been improperly exempted or in cases where the producer who is the occupant thereof disposes of his produce without delivery being made of that portion of his produce which is the property of the Crown.

The Minister is empowered to store so much of the agricultural produce received by him as he deems requisite for furnishing relief in kind under any Act of the Province and to sell the remainder and place the proceeds of sale in a special trust account to the credit of the Provincial Treasurer.

Any money to the credit of the special trust account is available firstly for the payment to municipal districts and improvement

districts of the amounts payable to them pursuant to this Act; and secondly to provide for crop loss insurance in the nature of grants of seed to farmers who have lost grain crops through drought, hail, frost, cutworms or grasshoppers, in such manner and to such extent as may be prescribed by order in council.

The Act provides that not later than the first of May in each year, the municipality shall deliver to the Minister a statement setting out an estimate of all its expenditures for the current year and all its receipts, excluding from such receipts any thing on account of taxes for the current year on land which is in the actual occupation of the producer of agricultural produce.

The Minister may either approve the statement or refer it back for amendment with directions for revision and amendment, and upon the Minister approving such statement the municipality forwarding the same is entitled to receive out of any money to the credit of the special trust fund the amount of the difference between the estimated expenditures and the estimated receipts by four equal quarterly instalments.

The Act contains a number of ancillary provisions which are necessary and incidental to its operation.

The Act is to come into force on proclamation, and no proclamation is to be made until after the question of the validity of the Act has been referred to the Supreme Court of Alberta pursuant to The Constitutional Questions Act and it is certified upon such reference or upon appeal respecting such reference, that the Act is valid, and if no appeal is for the time being pending, until the time for giving notice of any such appeal has elapsed.

SECURITIES TAX ACT, 1938 (Chapter 7). This Act imposes a tax of two per cent on the amount owing on account of the principal sum advanced under any first, second or third mortgage of land in the Province as at the first day of April, 1938.

The tax is not payable by a natural person in excess of such an amount as would reduce his taxable income by more than 25% of a taxable income of $500; by more than 33 1-3 per cent of a taxable income of more than $500 and not more than $1,500; and by more than 50% of a taxable income in excess of $1,500.

Claims for exemption or remission are to be made by application in writing to the Minister accompanied by a return of income

for 1937 not later than the first of May, 1938.

Every person entitled to receive any principal under any security is required to make a return to the Minister setting out therein particulars as prescribed by section 4 not later than the first of June, 1938.

The tax is to be paid not later than the first of June, 1938, and a penalty of five per cent per month is prescribed in case payment is not made upon the last mentioned date.

A penalty is prescribed for default in making the required returns of ten dollars a day for each day during which the default continues.

Provision is made for the issuance of a certificate by the Minister as to the tax payable in respect of any security and such certificate is given as evidential value.

No security is enforceable in any court and no discharge of any security may be registered in any Land Titles Office, unless it is established by the production of such a certificate that the tax payable in respect of the security has been paid, or that no tax is payable, as the case may be.

No person liable to pay the tax under this Act is entitled to recover the same from any other person, notwithstanding any contract, agreement, covenant or stipulation, whether made before or after the coming into force of this Act.

This Act came into force on April 8, 1938.

BANKING CORPORATIONS TEMPORARY ADDITIONAL TAXATION ACT (Chapter 8). This Act increases the tax payable by any bank in each of the years 1938 and 1939 under section 4 of The Corporations Taxation Act by fifty per cent of the amount of such tax.

This Act does not apply to the Bank of Canada.

This Act came into force on March 31, 1938.

PIPE LINE TAXATION ACT AMENDMENT ACT, 1938 (Chapter 9). The amendment made by this Act provides that the rate of taxation under The Pipe Line Taxation Act shall be at the rate of ten mills or at such lesser rate as may be fixed by Order in Council.

This Act is retroactive to the 1st August, 1937.

This Act came into force on April 8, 1938.

ELECTRIC POWER TAXATION ACT AMENDMENT ACT, 1938 (Chapter 10). The amendment made by this Act provides that the rate of taxation under The Electric Power Taxation Act shall be at the rate of ten mills or at such lesser rate as may be fixed by Order in Council.

This Act is retroactive to the 1st August, 1937.

This Act came into force on April 8, 1938.

GRAIN BUYERS' LICENSING ACT (Chapter 11). "Grain buyer" is defined as a person who carries on or transacts the business of buying or soliciting grain either as a principal or agent either for cash or under any form of contract with respect to delivery or payment, for shipment by railway, but does not include persons buying grain for seed, feed or otherwise for his own personal use. (Section 2.)

Part I of this Act prohibits the carrying on in the Province of the business of a grain buyer by any person who is not licensed under The Canada Grain Act either as a commission merchant, track buyer or grain dealer. (Section 3.)

The purchase of grain in the Province otherwise than by its grade name or by reference to a sample selected under the regulations made pursuant to The Canada Grain Act is prohibited. (Section 4.)

Part II of the Act provides for the licensing of grain buyers and their agents. (Sections 5-7.)

The license is annual and expires on the thirty-first day of July following the date of issue. (Section 8.)

The license fees are as follows:

For a grain buyer who does not employ agents, for each specified shipping point the fee is ten dollars;

for a grain buyer who employs agents, the fee is twenty-five dollars for one specified shipping point and ten dollars for each such agent at any specified shipping point other than that specified in the employer's license.

In addition to the above fees, every grain buyer is required to pay a fee of one dollar for every car of grain acquired by him and shipped from any shipping point other than that specified in the grain buyer's license. (Section 9.)

Any person who carries on or transacts business in contravention of this Act or without the requisite license, is declared to be guilty of an offence and liable to a fine

and in default of payment forthwith to imprisonment. (Section 11.)

The Track Buyers' Licensing Act is repealed. (Section 13.)

This Act came into force on April 8, 1938.

WILD LANDS TAX ACT, 1938 (Chapter 12). By this Act an annual tax called the Wild Land Tax is made payable in respect of all lands within the Province not exempted from taxation; the tax is at the rate of two cents per acre or at such lesser rate as may be fixed from time to time by the Lieutenant Governor in Council, with a minimum tax of twenty-five cents for any lot or any fraction of a quarter section.

The exemptions are set out in detail in section 4 and include Crown lands; unpatented homestead lands; lands held under grazing leases from the Crown; land held for specified public purposes; fractional sections of land and lots less than one acre in extent; land included in the corporate boundaries of cities, towns and villages; enclosed lands used for pasturing cattle or sheep owned by the owner or lessee of the land to a specified extent; land owned by a bona fide resident who is actually residing on some part thereof with a maximum of 640 acres; every parcel of land, one-fourth of the area of which is under cultivation or crop in the year the tax is levied or in either of the two preceding years, provided that several parcels owned by the same person are to be reckoned as one parcel; land included in the right-of-way of any railway and any irrigation canal and all ballast pits; every quarter section of land or portion thereof upon which mining operations are being carried on together with not more than three quarter sections contiguous thereto if the owner of all the said quarter sections is the same person; land used for sporting and recreational purposes; land used for airports; land used for lumbering operations; and land certified by the Minister to be uncultivated for the purpose of restoring its fertility.

Further provision is made in the case of land upon which the owner has expended a sum for irrigation works equal to the sum produced by multiplying the sum of fifteen dollars by the number of acres of irrigable land provided, in which case every quarter section of such land of which at least a fourth part is irrigable, is declared to be exempt from payment of the Wild Land Tax until the same is alienated.

The tax is leviable by the council in municipal districts and by the Minister in im-

provement districts, as if the same were taxes levied under The Municipal District Act or The Improvement Districts Act, 1927, as the case may be.

Section 6 provides for the making of a notation on the assessment roll of each parcel liable to the Wild Land Tax and for the sending of a demand for payment of the tax.

Section 8 relates to appeals in municipal districts by any person assessed who disputes liability on the ground that he is not the owner of the land or that the land is not liable to the tax or who considers there has been an omission to assess land liable to the tax; such appeals are to be dealt with by the council and an appeal is provided from the decision of the council to the Alberta Assessment Commission.

Section 9 relates to similar appeals in improvement districts which are to be to the Supervisor of Improvement Districts with a further appeal to the Alberta Assessment Commission.

All sums collected on account of the tax are to be remitted to the Minister within ten days after the end of the month in which they are received, and a commission of 5% on collections is payable to municipal districts.

This Act came into force on April 8, 1938.

CORPORATIONS TAXATION ACT AMENDMENT ACT, 1938 (Chapter 13). The amendment made by section 2 provides that the tax payable by loan companies shall be a tax calculated at the rate of one-tenth of one per centum on the amount of the paid up capital of the company with a minimum tax of fifty dollars.

The amendment made by section 3 provides that the tax payable by trust companies shall be a tax calculated at the rate of two per cent on its gross income for the year from its business in the Province with a minimum tax of $100 where the paid up capital is $100,000 or less; $250 where the paid up capital exceeds $100,000 but does not exceed $500,000, and $350 if the paid up capital exceeds $500,000.

This Act came into force on March 31, 1938.

AN ACT TO RATIFY A CERTAIN AGREEMENT BETWEEN THE GOVERNMENT OF THE DOMINION OF CANADA AND THE GOVERNMENT OF THE PROVINCE OF ALBERTA (Chapter 14). This Act approves, ratifies and confirms an agreement entered into between the Government

of the Dominion of Canada and the Government of the Province.

This agreement varies the agreement transferring the Natural Resources to the Province, for the purpose of making it clear that the transfer to the Province includes waters and water powers and for the further purpose of enabling the Province to pass legislation for the conservation of oil and gas resources of the Province whether or not such legislation affects the rights of lease holders or license holders from the Dominion.

This Act came into force on March 31, 1938.

OIL AND GAS CONSERVATION ACT (Chapter 15). This Act provides for the constitution of a Board with the title of "The Petroleum and Natural Gas Conservation Board." The Board is to consist of not more than three persons appointed by order in council of whom one is to be designated as Chairman; the remuneration of the members of the Board is to be fixed by order in council; the Chairman first appointed is to hold office for one year, and all other appointees to the Board are to hold office during the pleasure of the Lieutenant Governor in Council.

The Act applies to all producing oil and gas wells in the Province and the Board is appointed for the purpose of effecting the conservation of the petroleum and natural gas resources of the Province.

The Board is given wide powers to enable it to carry out the purpose for which it is appointed.

The Board is empowered to fix the total amount of the allowable production of any petroleum product for all the wells in the Province and for all the wells in any area constituted by order in council, and for any designated well or wells, and prohibit any production in excess of the amount so fixed; it is empowered to prohibit wasteful production of any petroleum product or the wasteful operation of any well; to require the return to a designated horizon of any natural gas not required for heating, lighting and industrial purposes; to provide for proration; and to provide the means of compensating well owners who surrender their right of production to the Board out of the proceeds received by the Board for the resale of such right or by means of agreements negotiated by the Board or out of a special levy upon producing wells.

The Board is given a number of other powers of regulating the operation of wells

so as to prevent waste and effect conservation.

The general expenses of the Board are to be defrayed by means of an annual rate levied on the assessed value of all producing wells.

This act contains a number of provisions of an administrative character.

This Act comes into force on proclamation.

ALBERTA HAIL INSURANCE ACT (Chapter 16). This Act sets up a Hail Board consisting of a Chairman and four other members appointed by the Lieutenant Governor in Council, one of such members being nominated by the Association of Municipal Districts, to be known as The Alberta Hail Insurance Board. The Board is a body corporate with offices in the City of Calgary.

By section 10 the Board is directed before the 1st day of June in each year, to set up as hail insurance areas such areas as the Board deems expedient; to fix the maximum amount payable in respect to loss of any designated crop which amount may be different for different kinds of crops and for different hail insurance areas; to fix the rates to be paid applicants for insurance having regard to the prevailing risk of hail damage, which may differ as between different areas; and to make an estimate of its expenditures for the current year and to apportion the estimated amount amongst the different hail insurance areas.

Any person having an insurable interest in any crop upon any parcel of land, may make an application for insurance under the Act, such application must be in writing signed by the applicant and must set out the particulars which are prescribed by section 11, and amongst other things must set out the maximum amount of insurance desired which may not exceed the maximum amount prescribed by the Board. Every application must relate to one parcel of land, that is one quarter-section or fraction thereof, and there must be paid with every application a sum of not less than Five Dollars for each parcel or such greater amount as the Board may prescribe.

Section 12 permits the cancellation of insurance at any time before the 1st day of August in the year the insurance was effected in case the crop has been destroyed from any cause other than hail.

Section 13 gives the Board a lien upon the crops grown by the applicant on the parcel to which the application relates in the year

in which the application is made and in each of the next ensuing three years, in respect of the balance of the amount payable to the Board in respect of any applications and such lien may be enforced by distress as if the amount owing in respect thereof were taxes.

Section 14 makes provision for notices of claims for loss which must be given to the Board within three days after the occurrence of the loss and must set out the name and address of the claimant, the nature of the crop in respect of which the claim is made, the legal description of the land upon which the same was grown, particulars of damage, and in case the claimant does not reside within two miles of the parcel upon which the crop was grown, the name and address of a person residing within two miles of such parcel who will act as the agent of the claimant. In case the notice is not given within three days the Board may charge the claimant with the costs of the adjustment. In case the notice is not given within thirty days of the damage, the claimant is required to furnish such proof as to damage by statutory declaration or otherwise as the Board directs, and the Board is prohibited from paying any claim unless notice of the claim is made before the 1st of November in the year in which the damage occurs.

Section 15 provides for the adjustment of claims.

Section 16 provides that the amount payable in respect of any claim shall not in any case exceed the amount set out in the accepted application as the maximum payable, and shall not exceed an amount which represents the actual damage done. In no case is any sum to be payable in respect to a crop which has not been damaged to an extent of at least ten per cent or which has been so damaged by other causes that the price likely to be obtained for the crop would not exceed the actual costs of harvesting and marketing, and in case causes other than hail have contributed to the damage, the liability of the Board is restricted to so much of the loss as is directly attributable to hail. Nothing is payable where the damage by hail has taken place after the crop has been cut or in the case of over-ripe grain, for loss arising from neglect of the insured to cut after it has been damaged by hail.

By section 17 all sums payable by the Board for hail damage are made exempt from garnishment, attachment and execution.

Section 18 provides for the settlement of disputes between claimants and the Board by arbitration, conditionally upon the claimant making a deposit of Twenty-five Dollars on account of the costs.

Section 19 provides for the establishment by the Board of a Special Trust Fund for each hail insurance area for each year, and all sums received by the Board in any area in any year are to be placed therein. The amount of the expenses of the operation of the Board for the year which is attributable to the area, is made a first charge upon the fund for the area for that year, and after payment thereof the remainder of the fund is available for the payment of claims payable by the Board in respect of damage to crops in such area.

The Board is empowered to transfer fifty per cent of the surplus of any one trust fund to any other trust fund or funds for the purpose of making up deficiencies and to transfer ten per cent of the amount of the surplus in any trust fund to a General Reserve Fund, which may be used for the purpose of supplying deficiencies in special trust funds and for the purpose of meeting the expenditures of the Board.

Section 20 provides that on the 1st of November in each year the Board shall make payment of all claims for crop damage payable in that year. In case the amount of money to the credit of the trust fund out of which the claim is payable is insufficient, the Board is to make a payment on account and thereafter the Board is to pay the balance of such claims by such further pro rata payments out of such moneys as may be subsequently available for the purpose.

Section 21 provides that in the case of claims for damage to crops in extent of thirty per cent thereof, the amount of the claim is to be paid in two equal instalments on the 1st of November and the 1st of April next after the loss.

The remaining sections of the Act deal with matters of an administrative character.

This Act came into force on April 8, 1938.

CORPORATIONS' TEMPORARY ADDITIONAL TAXATION ACT AMENDMENT ACT, 1938 (Chapter 17). This Act continues the operation of The Corporations Temporary Additional Taxation Act for the year 1938.

This Act was passed in the year 1932 as an annual Act and its operation has been

extended by amending Acts passed in each year since 1932.

This Act came into force on March 31, 1938.

SUCCESSION DUTY ACT, 1934, AMENDMENT ACT, 1938 (Chapter 18). This Act provides for the imposition of a further duty by way of surcharge on the duty payable under The Succession Duty Act, 1934, of twenty per cent of the amount of such duty.

This Act came into force on March 31, 1938.

UNEARNED INCREMENT TAX ACT AMENDMENT ACT, 1938 (Chapter 19). The amendment made by this Act increases the rate of the tax payable under The Unearned Increment Tax Act from five per cent to ten per cent.

This Act came into force on March 31, 1938.

INCOME TAX ACT AMENDMENT ACT, 1938 (Chapter 20). This Act amends section 5 of the principal Act by striking out paragraphs (a) and (b) of subsection (1), paragraph (a) of section 2; by striking out paragraph (d) of subsection (1) and by substituting therefor "(d) Seven hundred and fifty dollars in the case of all other persons except corporations" paragraph (b) of section 2; and by adding to subsection (1) a new paragraph relating to the income of a taxpayer from dividends in certain corporations.

Section 6 of the principal Act is amended by adding thereto paragraphs relating to depreciation of vehicles, machinery, plant and buildings; to depletion or exhaustion of mineral properties and timber limits; and to interest on borrowed capital by companies other than companies liable to taxation under any of the sections 4 to 17 (inclusive) of The Corporations Taxation Act. (Section 3.)

Section 8 is amended so as to provide that where a corporation is liable in any year to a tax under the principal Act and to a tax under any of sections 4 to 17 (inclusive) of The Corporations Taxation Act, it is liable to pay the tax under the principal Act to the extent that such tax exceeds the amount of the tax under The Corporations Taxation Act. (Section 4.)

Section 38 is amended to provide for returns by employers in case of change of ownership, discontinuance, bankruptcy, winding up or liquidation of business.

Section 47 is amended so as to reduce the

rate mentioned therein from six to five per centum.

Section 48 is amended so as to modify the rate of interest payable thereunder.

Section 53 is amended as to the rate of interest.

Minor amendments are made as to sections 69 and 75.

New section 75b nullifies certain contracts providing for any additional or increased payment in the event of any increase being made in the tax payable in 1938 by reason of any amendment to the principal Act in respect of any additional or increased payment for the year 1938.

The Schedule is amended by section 15 by inserting therein a provision for the method of computation of the tax in the case of persons in receipt of an income of the kind mentioned in paragraph (l) of section 6 of the principal Act, and by providing new rates of taxation for corporations and companies as follows:

The rates of tax applicable to Corporations and Joint Stock Companies:

On the first $2,000 or any portion thereof, 3 per centum;

On the amount in excess of $2,000 but not in excess of $3,000, 4 per centum;

On the amount in excess of $3,000 but not in excess of $4,000, 5 per centum;

On the amount in excess of $4,000 but not in excess of $5,000, 6 per centum;

On the amount in excess of $5,000 but not in excess of $6,000, 7 per centum;

On the amount in excess of $6,000 but not in excess of $7,000, 9 per centum;

On the amount in excess of $7,000 but not in excess of $8,000, 10 per centum;

On the amount in excess of $8,000 but not in excess of $9,000, 11 per centum;

On the amount in excess of $9,000 but not in excess of $10,000, 12 per centum;

Where the net income exceeds $10,000, the rate shall be 7 per centum on all the net income.

The Act came into force on April 8th, 1938; the amendments made by paragraph (a) of section 2 and by sections 3, 4 and 15 are retroactive so as to apply to 1937 income; and the amendment made by paragraph (b) of section 2 is retroactive to April 6th, 1932.

OLD AGE PENSIONS ACT, ALBERTA, AMENDMENT ACT, 1938 (Chapter 21). The

effect of the amendment made by section 2 is to place pensions to blind persons on the same footing as old age pensions with respect to the liability of the municipality, in which a pensioner lives to contribute ten per cent of the amount of the pension.

Section 3 validates and confirms all the orders in council which have been made under The Old Age Pensions Act, Alberta.

This Act came into force on March 31, 1938.

CREDIT UNION ACT (Chapter 22). This Act provides for the incorporation of credit unions having for their objects the promotion of co-operative enterprise for their members, the creation of a service of credit for their members at legitimate rates of interest exclusively for provident and productive purposes and merchandising purposes.

Applications for the incorporation of a credit union may be made by delivering to the Supervisor of Credit Unions a memorandum of association signed by at least ten intending members. If the Supervisor approves the application the credit union is registered by the Registrar of Joint Stock Companies, and so becomes incorporated.

Section 10 makes provision as to the corporate names of credit unions and prohibits the use of certain words in any such names.

Section 11 provides for the making of standard by-laws by the Supervisor with the approval of the Lieutenant Governor in Council; such by-laws to apply to every credit union. Supplemental by-laws may be made by a credit union with the approval of the Supervisor.

Sections 12 to 17 relate to the capital structure of a credit union. The capital is unlimited in amount and divided into shares of a par value of $5.00.

The capital may be reduced by by-law upon an order of the Court being obtained confirming the reduction as prescribed by The Companies Act, 1929. Shares may be paid for by instalments. No shareholder is to receive interest on any but the paid up portion of his share. Shares are transferable or repurchasable by the union, subject to the authorization of the directors, except where the number of shareholders of the union would be reduced thereby to less than ten. The liability of shareholders is limited to the amount unpaid on shares issued to them. The Securities Act is not to apply to such shares.

The objects and powers of a credit union are set out in sections 18 to 22.

Sections 23 to 27 provide for the organization of a union on its incorporation and the election of directors, a credit committee and a supervisory committee.

Section 28 sets out the powers and duties of directors of a credit union in whom is vested the management of its affairs.

Sections 29 to 37 make provision as to loans to members under the supervision of a credit committee, the interest chargeable on loans and the repayment of loans.

Section 38 prescribes the duty of the supervisory committee.

Sections 39 and 40 make provision as to borrowings by a credit union.

Sections 41 to 43 provide for the setting up of a reserve fund and its management.

Section 44 provides for the setting up of a special fund to be used for educational purposes.

Section 45 provides for the payment of dividends out of net earnings after providing for reserves.

Sections 46 to 58 contain provisions as to meetings of members and the procedure at such meetings; and as to membership and the retirement or expulsion of members and the rights of retiring and expelled members.

The fiscal year of a credit union ends on the 1st December.

Sections 60 to 62 require officers handling money to furnish security; declare by-laws to be binding on every member; make all moneys owing by a member to a union recoverable as a debt; and give the union a charge upon a member's shares for any debt owing to it by a member.

Sections 63 to 65 prescribe as to the returns to be made by a credit union.

Section 66 provides for the annual inspection by the Supervisor by or under the direction of the Supervisor.

Sections 67 to 70 prescribe certain offences and the penalties therefor.

Sections 71 to 74 provide for the dissolution of credit societies either voluntarily or by Order in Council.

Sections 75 to 79 provide for the prescription of fees payable to the Supervisor or Registrar; the furnishing of standard by-laws and the preparation of supplemental by-laws; the inspection of documents kept by the Registrar and agreements for joint action between credit unions.

This Act came into force on March 31, 1938.

WORKMEN'S COMPENSATION ACT (Chapter 23). This Act repeals The Workmen's Compensation Act (Accident Fund) and re-enacts its provisions in an amended form.

Section 16 makes a new provision in the case of the opening up of industrial plants in which power-driven machinery is used. It prohibits such opening up until leave to do so is obtained from the Board. Upon application being made for such leave the Board finds that the plant is reasonably free from danger to persons employed therein, the Board is required to grant leave for the operation thereof. Pending an inspection the Board is empowered to give a temporary permit for such operation.

By section 17 the Board is required to engage in and carry on educational instruction in accident prevention and first aid work of workmen.

Section 18 empowers the Board to administer any other Act or perform any other duty referred or assigned to it by Order in Council.

Subsection (2) of section 19 provides that where a workman is found dead in the underground workings of a coal-mine at a place where the workman had a right to be, it is to be presumed that his death was the result of injury arising out of and in the course of his employment, unless there is evidence to rebut such presumption. By subsection (3) of the same section the waiting period of three days does not apply in the case of the disability lasting more than thirty days.

By subsection (5) of section 30, the entire cost of the repair, maintenance and renewal of any apparatus supplied to an injured workman in respect of his disability, is to be borne by the accident fund.

Subsection (2) of section 31 relates to settlement made with the workman in respect to his compensation made by the Board where a lump sum is payable and makes such a settlement binding on the workman. Subsection (3) limits the power of the Board to make advances of payments to a workman or his dependents of a lump sum to cases where the workman or dependents are residing in the Province.

Section 32 provides that where a workman is entitled to compensation and is no longer residing in Alberta, but has a wife, and child under eighteen years of age still residing in Alberta without adequate means

of support, the Board may divert such compensation for the benefit of the wife or child, and similarly in the case of a workman who is residing in Alberta against whom an order has been made by a Court of competent jurisdiction for the support of his wife or family or for alimony.

Section 33 increases the age limit of children on account of whom compensation may be paid from sixteen years to eighteen years.

Section 35 restates with some modifications the basis for estimating the impairment of earning capacity in cases of permanent partial disability.

Section 37 makes similar provisions as to compensation payable in cases of temporary partial disability.

Section 38 provides that the compensation payable in the case of accidents to workmen whilst engaged in recovery work after an explosion, accident or catastrophe, shall be computed on the basis of 100 per cent of the impairment of his earning capacity.

The amendment made by subsection (1) of section 39 makes provision for cases where the impairment of earning capacity is based on the nature and degree of the disability.

Section 41 makes provision for taking into account of benefits afforded to a workman during disability by his employer.

Section 43 makes provision empowering the Board to provide an injured workman with any necessary medical and surgical attention including nursing, hospitalization, drugs, dressings, X-ray, special treatments and transportation.

Subsection (7) of section 44 provides for a per diem subsistence allowance to an injured workman whilst under the direction of the Board not in excess of $2.50, such allowances to be charged to the accident fund. Subsection (9) of the same section empowers the Board in proper cases to permit an injured workman to select as his medical attendant such duly qualified and competent physician as he may desire.

Section 51 is amended so as to empower the Board to include in its assessments the cost of administration of mine rescue and first aid work and of such other acts, duties and services as the Board may be required to administer, and for the establishment of an equalization reserve and the establishment of a silicosis reserve. Subsections (7) and (8) of the same section empower the Board to adopt a system of merit and demerit rating.

Subsection (6) of section 54 imposes on the assessor of every municipality the duty of making yearly returns as to all employers of labour carrying on any industry or business other than farming in such municipality.

Section 55 contains certain new provisions as to the duty of persons who are or may be employers to make returns to the Board.

Section 60 empowers the Board to require any person newly engaged in an industry to furnish the Board with security for the payment of the assessment.

Section 61 makes new provision with regard to the duties of contractors and subcontractors as to contributions to the accident fund in respect of contract work.

Subsections (4) and (5) of section 65 impose the duty upon the purchaser of any industry or the stock or equipment of any industry, to obtain from the vendor a certificate that the Board has no claim thereon and if such certificate is not furnished the purchaser becomes liable for the payment of any moneys due to the Board from the vendor. Subsection (6) of the same section provides for making assessments a charge upon the land of the employer.

Section 66 provides that except in the case of retail sales by retail dealers in the ordinary course of business, it shall be the duty of every purchaser of lumber before paying for the same, to obtain from the vendor a certificate from the Board that it has no claim in respect thereof and if such certificate is not furnished, the purchaser is made liable for all sums owing by the vendor to the Board to the extent of seventy-five cents for each one thousand feet board measure of lumber so purchased.

Section 67 empowers the Secretary of the Board or his agent to collect arrears of assessments and costs by distress upon the goods and chattels of the debtor.

Section 68 empowers the Board to notify any municipality in which the establishment of a defaulting employer is situate, of the amount owing by such employer to the Board and thereupon the secretary of the municipality is under an obligation to enter such amount on the collector's roll as if the same were taxes due in respect of such establishment, and provides for the collection thereof as if the same were taxes.

Section 69 extends the priority which the Board has in respect of its assessments under The Bankruptcy Act to proceedings under The Trustee Act and The Companies Act and any other Act.

This Act comes into force upon proclamation. (Proclaimed to be in force on April 1st, 1938.)

WORKMEN'S COMPENSATION BOARD (ADDITIONAL DUTIES) ACT (Chapter 24). This Act transfers to the Workmen's Compensation Board the duty of administering the following Act, namely: The Boilers Act, 1929, The Factories Act, and The Coal-mines Regulation Act.

The Act contains a number of provisions of an administrative character and also makes consequential amendments to the Acts above referred to.

This Act comes into force on Proclamation.

DEBT PROCEEDINGS SUSPENSION ACT (Chapter 25). This Act relates to debts created on or before the 1st, July, 1936, as defined in section 2 and prohibits in the interval before coming into force and the 1st March, 1939, issuance of any process out of any court in the Province in any civil action for the purpose of enforcing any debt (section 3); stay all pending proceedings in all civil actions or matters until after the 1st day of March, 1939 (section 4); and prohibits the commencement of proceedings by way of distress, repossession, and of extra judicial proceedings in respect of or for enforcing any debt in the said interval and stays all such proceedings presently pending until after the 1st March, 1939 (section 5); the time during which the issuance of process for the recovery of a debt is prohibited is excluded from the computation of time under any statute of limitation (section 6).

This Act is to come into force on Proclamation.

POSTPONEMENT OF DEBTS ACT REPEAL ACT (Chapter 26). This Act provides for the repeal of The Postponement of Debts Act on a date to be fixed by Proclamation.

DEBT ADJUSTMENT ACT, 1937, AMENDMENT ACT, 1938 (Chapter 27). The amendment made by section 2 places the definition of "Resident farmer" in section 17 of the principal Act in the general definition section, and makes it applicable throughout the Act.

The amendment made by section 3 makes the issuance of a permit unnecessary for the renewal of a writ of execution or of the registration thereof under The Land Titles Act or the renewal of a bill of sale, chattel mortgage or conditional sale agreement.

Section 4 strikes out section 11 of this Act.

Section 5 adds a new Part to the Act which provides for the issuance by the Board in a proper case of a certificate to a resident debtor for the filing of such certificate in the offices of Registration Clerks in all Registration Districts, in the office of every Clerk of the Court and in all Land Titles Offices, and for the publication of notice thereof in The Alberta Gazette.

Subject to The Bankruptcy Act and The Farmers' Creditor Arrangement Act, after a certificate has been filed as above, no proceedings in the nature of an execution and no proceedings leading to the sale or foreclosure of real property, and no proceedings of any sort except proceedings in respect of any debt incurred after the 1st July, 1936, either in Court or extra-judicial which may lead to the seizure or sale of the property of the resident debtor named in the certificate, may be taken without the consent in writing of the Board.

The Board is empowered to give directions as to the disposition of any property of the resident debtor under seizure at the time of the filing of the certificate.

The resident debtor is debarred from disposing of his property so long as the certificate remains uncancelled without the consent of the Board.

The Board is empowered to cancel a certificate when it is made to appear to the Board that the debtor is about to abscond, or to sell or dispose of his property, or in case the Board considers that the rights of creditors are jeopardized and to require the Sheriff to take possession of the debtor's property and deal with the same as the Board directs.

The Board is empowered to make investigations as to the property of a certificated debtor.

Section 17 requires a certificated debtor to pay to the Board yearly, in case of a farmer, a sum equal to one-fourth of the gross value of all grain crops and one-fourth of the gross revenue from the sale of live stock and produce other than grain, and in the case of other debtor, if he is a single person without dependents living with him, one-fourth of the amount by which his annual gross earnings and revenue exceed four hundred and eighty dollars and in other cases a sum equal to one-fourth of the amount by which his annual gross earnings and revenue exceed nine hundred dollars.

The Board is empowered to direct that the payments to be made to the Board may be less than those last mentioned.

Any sums so paid to the Board are distributable by the Board among creditors at the discretion of the Board without regard to the rights of creditors.

The Board is empowered to permit the bringing of an action to determine any disputed claim against a resident debtor.

The Board is empowered to give directions for the disposal of any crop or live stock of a resident debtor, notwithstanding the provisions of any mortgage, charge, lien, crop share lease or crop share agreement, affecting a crop or any mortgage, charge or lien upon live stock other than one securing the purchase price thereof, and out of the proceeds to make payments to the resident debtor for his maintenance or to enable him to carry on his operations or business and to distribute the surplus amongst creditors.

Every person is declared to be guilty of an offence who commits any wilful default in complying with any lawful order of the Board or who wilfully takes or continues any action or seizes, sells or disposes of any chattel in violation of any provision of the Act, or being a resident debtor to whom a direction has been given, wilfully disposes of any property in contravention of the Act or makes wilful default in complying with any order, direction or condition made by the Board; every such person is liable on summary conviction to a fine of not more than two hundred and fifty dollars and in default of payment to imprisonment for not more than three months or to both.

The provisions of the Act override the provisions of The Crop Payments Act and any other Act, and the terms of any mortgage, agreement for sale, lease or contract.

The Act is not applicable to debts owing to The Canadian Farm Loan Board or to The Soldier Settlement Board.

This Act came into force on April 8, 1938.

LIMITATION OF ACTIONS ACT, 1935, AMENDMENT ACT, 1938 (Chapter 28). This act provides that certain actions and proceedings in respect of debts incurred or contracts made or entered into by a debtor where the whole of the original consideration arose prior to the 1st day of July, 1936, must be commenced before the 1st day of July, 1940.

The Act also provides that the provisions of subsections (1) and (2) of section 7 of The Limitations of Actions Act 1935, shall not apply to any such debt and that an action to recover any such debt may be commenced after the 1st day of July, 1940, only

in case the person liable for the payment of such debt has since the 1st day of July, 1936, and before the 1st day of July, 1940, entered into a new agreement for the payment thereof.

This Act came into force on April 8, 1938.

HOME OWNERS SECURITY ACT (Chapter 28). This Act prohibits the bringing of any action founded on any mortgage executed before the first day of March, 1938, against a farm home owner, having for its object the foreclosure or sale of a farm home and any such action now pending is stayed. "Farm Home" means land elsewhere than in a city, town or village, consisting of not more than one quarter-section on which the home occupied by the owner thereof is situate; and "Farm home owner" means the person who is the owner and in actual occupation of a farm home which is held by him subject to a mortgage.

The Act also prohibits the bringing of any action founded on any mortgage executed before the first day of March, 1938, against an urban home owner, having for its object the foreclosure or sale of an urban home, unless and until the plaintiff in the action has first deposited with the Clerk of the Court in which are action is to be commenced the sum of two thousand dollars. "Urban home" means land in a city, town or village consisting of not more than four adjoining lots in one block as shown by a plan of subdivision duly registered in the proper Land Titles Office on which the house occupied by the owner thereof is situate; and "Urban home owner" means the person who is the owner and in actual occupation of an urban home which is held by him subject to a mortgage. Any such actions now pending are stayed until the plaintiff makes a deposit with the Clerk of the Court of two thousand dollars.

In case a final order of foreclosure or sale is made in respect of an urban home, the Act makes it a term of such order that a sum of two thousand dollars shall be paid out of court to the owner of such urban home, and upon the entry of any such order the Clerk is directed without any further order to pay out of court the said sum to the person who was the urban farm owner thereof at the time of the commencement of the action or proceeding, or in the case of the subsequent death of such person if such person is survived by a wife or husband, or if such person dies a widower or a widow and is survived by children, to such children, provided always that at the time

of the making of such order such wife, husband or children as the case may be, are in the actual occupation of the urban home; and in case of the subsequent death of the person who was at the time of the commencement of such proceedings without leaving any wife, husband or child to whom such sum is directed to be paid, the said sum is to be paid out of court to the person who paid the same into court or to his executors, successors or assigns; and in case the action is dismissed or otherwise disposed of the said sum is to be paid out to the plaintiff upon the order of the Court.

Upon the sale of an urban home pursuant to an order of the Court, the plaintiff is to receive out of the proceeds the amount due him for principal, interest and costs together with the sum of $2,000 so paid to the urban home owner or the amount of the proceeds of sale whichever is the less; but in no case may the plaintiff recover any sum in excess of the amount receivable by him pursuant to this provision.

This Act does not apply to mortgages of the Canadian Farm Loan Board.

This Act came into force on April 8, 1938.

VENDORS AND MORTGAGEES COSTS EXACTION ACT (Chapter 30). This Act declares any agreement whether entered into before or after the coming into force of this Act whereby any party to a mortgage of land, a chattel mortgage, an agreement for the sale of land or any agreement for sale or conditional agreement of sale of any personal property or the executors or successors or assigns of such party, is made liable for the payment of any fees, charges or costs other than the costs payable in respect of and by virtue of a judgment or order of a Court of competent jurisdiction to be utterly null and void (section 2).

It is made an offence to demand payment of any sum on account of any agreement so declared to be null and void, punishable in the case of a corporation by a fine of not more than five hundred dollars and costs, and in the case of a natural person to a fine of not more than one hundred dollars and costs, and in default of payment to imprisonment for not more than six months (section 3).

The right to recover costs recoverable in respect of proceedings under The Distress or The Seizures Act and advances for seed insurance and the protection or amelioration of the mortgaged property is preserved.

This Act came into force on April 8, 1938.

BILLS OF SALE ACT AMENDMENT ACT, 1938 (Chapter 31). This Act makes provision as to the registration of bills of sale and renewal statements in case a judicial district (which is a registration district under the Act) is divided or its boundaries are altered under The Judicature Act.

In any such case any registration previously made shall continue until such time as it becomes necessary to register a renewal statement in respect of it; and the renewal statement is to be filed in the registration district in which the chattels to which the bill of sale relates were situate at the time of the execution of the bill of sale; or in the case of the permanent removal of such chattels into a district other than the one in which they were situate at the time of the execution of the bill of sale, the renewal statement is to be registered in the office of the proper office in which the bill of sale is required to be registered pursuant to section 12 of the Act.

It further provides that where a district is so divided or altered, no bill of sale which is at the time of the division or alteration duly registered shall lose its priority by reason of the non-registration in another district until the expiration of the period of three years from the date of its registration or the last renewal thereof as the case may be.

This Act came into force on March 31, 1938.

SUMMARY CONVICTIONS ACT AMENDMENT ACT, 1938 (Chapter 32). This Act amends section 8 of the Act which provides for the abatement of the penalty where a term of imprisonment has been partially served. It clarifies the existing provision by providing that where a term of imprisonment is imposed on account of the non-payment of any sum of money, that term shall, upon payment of a sum of money in excess of all sums of money payable for costs (including the cost of conveyance of the person liable to the imprisonment to prison), be reduced by a number of days bearing as nearly as possible the same proportion to the total number of days of the term as the amount of the sum so paid in excess bears to the sum exclusive of costs as aforesaid on account of the non-payment of which the imprisonment is imposed.

This Act came into force on March 31, 1938.

SEIZURES ACT AMENDMENT ACT, 1938 (Chapter 33). The amendment made by this Act makes it necessary that every application to a Court or Judge required to

be made under the Act in respect of any seizure shall be made to a Court or Judge sitting in the judicial district or subjudicial district in which the goods the subject matter of the application are situated.

This Act came into force on March 31, 1938.

GARAGEMEN'S LIEN ACT AMENDMENT ACT, 1938 (Chapter 34). Section 2 of this Act amends section 3 of the principal Act by striking out the word "servicing" wherever it occurs and by providing that no garageman shall be entitled to a lien under this Act for the price of gas, oil or grease.

Section 3 amends section 4 of the principal Act, which makes necessary the filing of a claim of lien before the eighth day after the day upon which the storage for which the lien is claimed terminated, or the repairs were completed or the accessories were furnished, as the case may be, and requires the claim of lien to be filed in the office of the Provincial Secretary, Government Buildings, Edmonton, together with an affidavit verifying the claim, and a fee of twenty-five cents is payable for each filing.

Section 4 amends section 7 of the principal Act by striking out the same and by substituting therefor a new section which provides that in case of competing liens under this Act upon the same vehicle, the lien which is filed first in time takes priority over a lien filed later in time, and further provides that in the case of a seizure being made to enforce such a lien, such seizure shall be deemed to have been made on behalf of all persons who have a subsisting lien upon the vehicle as at the time of seizure.

Section 5 amends section 9 of the principal Act by providing that upon a seizure being made of a motor vehicle under the Act, the officer making the seizure is to deliver the same to the garageman or his agent at the place at which the motor vehicle is kept under seizure in the judicial district in which the seizure is made, upon being paid the amount of the fees for the warrant and seizure.

Section 6 empowers the Lieutenant Governor in Council from time to time to prescribe a tariff of fees which may be charged in respect of any warrant and any seizure thereunder or any matter or thing incidental thereto.

Section 7 provides a new form of claim of lien as well as a form of affidavit verifying the claim.

This Act came into force on April 8, 1938.

CONDITIONAL SALES ACT AMENDMENT ACT, 1938 (Chapter 35). This Act makes provision as to the registration of conditional sale agreements and renewal statements in case a judicial district (which is a registration district under the Act), is divided, or its boundaries are altered under The Judicature Act.

In any case any registration previously made continues until it becomes necessary to register a renewal statement in respect of it; and the renewal statement is to be filed in the registration district in which is then situate the place at which the buyer or bailee resided at the time of the delivery of the chattels to which the agreement relates; or in the case of the permanent removal of such chattels in the district in which the agreement is required to be registered in such a case by section 5 of the principal Act. It further provides that in case an agreement is registered in a district other than that in which the renewal statement is required to be filed, a certified copy of the agreement is to be filed with the renewal statement.

This Act came into force on March 31, 1938.

DEPARTMENT OF EDUCATION ACT AMENDMENT ACT, 1938 (Chapter 36). The amendment made by section 2 extends the power to make regulations of the Department to musical festivals.

The amendment made by sections 3 and 4 makes sections 8 and 9 of the Act applicable to school divisions and divisional boards as well as to school districts and boards of trustees.

This Act came into force on March 31, 1938.

SCHOOL ACT, 1931, AMENDMENT ACT, 1938 (Chapter 37). Section 2 of the Act amends the definition of "Elector" in an established district other than a town district so as to require that the persons who are electors by virtue of their relationship to an elector shall be British subjects and defines "hamlet."

Section 67 of the principal Act is amended so as to make the same inapplicable to a merchant who in the ordinary course of his business sells merchandise to a board to an amount not in excess of one hundred dollars in any year.

Section 120 of the Act, which deals with the powers of a Board, is amended by substituting shop courses and household eco-

nomics for manual training and domestic science in subsection (1); by revising the provision as to a house for the teacher; by empowering the Board to dispose of the property of the district with the approval of the Minister; and by restating the provisions as to by-laws for retirement and sick pay allowances for teachers and for contributory superannuation schemes so as to require the submission of the by-law to the proprietary electors only in the case of contributory schemes. A further provision provides for the validation of provisions made by any town school district for retirement and sick pay allowances to teachers prior to the 23rd of April, 1935, if approved by the Minister.

Section 160 is amended by providing that the application for a reference shall be made not later than the 10th of July following the dispute and by making the section inapplicable to cases where the contract has been terminated with the approval of the Minister.

Section 161 is amended so as to empower the Minister to authorize for a specified time the payment of a smaller salary than seventy dollars per month or eight hundred and forty dollars per year.

New provision is made for the appointment of sinking fund trustees in school districts in which a city is in whole or part situate.

Section 202 is amended so as to empower a Board of a district or division in which a parent or guardian of a pupil resides, to pay fees on behalf of such parent or guardian.

New provision is made in section 231 validating all orders made under that section constituting school divisions. This provision is retroactive to the 3rd of April, 1936.

Section 233 is amended so as to require the holding of meetings of delegates between the 15th of October and the second Tuesday in December.

New provision is made for the holding of annual meetings of delegates for each subdivision upon a date to be fixed by the Board between the 1st of January, and the 1st of July.

Section 241 is amended by making new provision for filling a vacancy on a divisional board caused by the setting aside of an election.

Section 249 is amended by requiring the location of the offices of a divisional board to be approved by the Minister and by making new provisions for the payments and allowances to members of a Board for attending meetings.

Section 250 is amended to provide for annual conventions of the trustees of school districts included in a division, and to authorize a divisional board to furnish the secretary-treasurer of districts included in the division with stationery and postage.

Section 250a is amended so as to make the section inapplicable to a member receiving payment on account of or in lieu of the cost of conveyance of a pupil of which he is the parent or guardian.

Section 258 is amended so as to make its provisions applicable to cities, towns and villages as well as municipal districts, and by further clarifying the same.

Section 259 is amended by further clarifying the same.

Section 259a makes new provisions enabling a Divisional Board by resolution to provide for a differential rate as between hamlets and the remainder of a division, having regard to differences in the educational facilities furnished.

Section 261 is amended by making new provisions for a differential rate in different parts of a division.

Section 262 is amended to provide that the funds held by municipalities to the credit of any school district included in a division, and arrears of taxes levied in respect of any such school district collected by a municipality or the Minister of Municipal Affairs, are to be used subject to subsisting encumbrances in paying the requisitions of the Divisional Board.

Section 263 is amended by making new provision for the levy of a differential rate in cases where a resolution has been passed under section 259a.

Provision is made by new section 266a for the adjustment and settlement of liabilities and assets on the transfer thereof or any part thereof from one division to another or the exclusion thereof or any part thereof from a division: and for the consequential transfer of land.

Section 25 of the Act validates authorizations for the payment of a salary to a teacher less than the minimum prescribed by section 161, where such authorization in writing purporting to be signed by an officer of the Department of Education who acted on behalf of or under the instructions of the Minister. This section is inapplicable in cases in which legal proceedings have been taken before April 1st, 1938.

This Act came into force on April 8, 1938.

SCHOOL DISTRICTS RELIEF ACT AMENDMENT ACT, 1938 (Chapter 38). The amendment made by this Act makes The School Districts Relief Act applicable to school divisions as well as to school districts.

This Act came into force on March 31, 1938.

SCHOOL ASSESSMENT ACT, 1931, AMENDMENT ACT, 1938 (Chapter 39). This Act makes a number of amendments to the principal Act which are consequential on The Assessment Act: that Act will become applicable to collecting School Districts on and after the 1st of January, 1939.

This Act comes into force on January 1, 1939.

SCHOOL GRANTS ACT AMENDMENT ACT, 1938 (Chapter 40). The amendment made by sections 2 and 3 of this Act make sections 6 and 7 of the Act applicable to a school division.

The amendment made by section 4 adds household economics, music and art to the subjects in respect of which a grant may be paid under section 10 of the Act.

Section 5 amends section 27 so as to make it applicable to school divisions.

The above amendments are made retroactive to the 1st January, 1938.

This Act came into force on March 31, 1938.

PUBLIC SERVICE ACT AMENDMENT ACT, 1938 (Chapter 41). This Act includes in The Public Service Act a provision for the constitution of a Joint Council to be known as "The Alberta Civil Service Joint Council," consisting of six members of whom half are appointed by the Lieutenant Governor in Council and the other half are appointed by The Civil Service Association of Alberta, with such functions as may be prescribed by Order in Council.

This Act came into force on March 31, 1938.

AGRICULTURAL RELIEF ADVANCES ACT, 1938 (Chapter 42). This Act makes provision for the furnishing to necessitous farmers of seed grain, fodder, feed, grain, fuel oil and lubricating oil, during the year 1938 and any subsequent year.

The Lieutenant Governor in Council is empowered to authorize the Provincial Treasurer to borrow on behalf of the Province from any chartered bank and to guarantee on behalf of the Province the repay-

ment with interest of any sums advanced or to be advanced by any chartered bank on account of any such advances; and to guarantee on behalf of the Province the repayment with interest of any advances made by a chartered bank to any municipal district or improvement district.

Every municipal district and improvement district is required to make provisions to the satisfaction of the Minister for furnishing to necessitous farmers who are resident thereof, such commodities as may be authorized to be furnished by Order in Council.

The Provincial Treasurer is authorized to lend out of the General Revenue Fund, to a municipal district or improvement district, sums required to furnish necessitous farmers with such commodities.

Municipal districts and improvement districts are empowered to borrow from the Provincial Treasurer, or with the approval of the Minister from any chartered bank, sums required for the purpose of furnishing necessitous farmers with such commodities.

The borrowing powers granted to municipal districts and improvement districts are in addition to the powers granted to them by any other statute.

The amount of seed grain which may be advanced to any person in one year is not to exceed an amount which together with any seed which such person possesses, is sufficient to seed his arable land as follows:

If the applicant has arable land in condition for seeding amounting to:	Seed may be provided for
50 acres	50 acres
100 "	75 "
200 "	120 "
300 "	165 "
400 "	210 "
500 "	255 "
600 "	300 "

All advances made under the Act are to be approved by the Minister or his representative and are to be made by the municipality or its authorized agents.

The municipality is to charge the recipient of any advance such an amount as it shall deem reasonably sufficient to cover the costs thereof and the expenses entailed in respect thereof.

The municipality is required to take a note from the recipient for the price of the advance bearing interest at the same rate of interest as is payable by the muni-

cipality in respect of its borrowings under the Act, together with a written agreement for a lien in the prescribed form, and the names of persons receiving advances under the Act are to be published within ninety days from the making of the first advance in The Alberta Gazette and a caveat is to be filed in the proper Land Titles Office.

Upon the publication of the notice in The Alberta Gazette within the said period of ninety days, a lien is created in favour of the Minister and any person by whom the advance to which the lien relates was made, and any person who is liable as a guarantor in respect thereof of all crops grown from any seed advanced within twelve months after the making of the advance, and upon all crops grown by the recipient in the year in which the advance is made and in each of the next ensuing three years, upon land in respect of which the advance is made.

No person who has received an advance may during the year in which the advance was made and in the next ensuing three years so long as the advance remains outstanding, dispose of any grain which is subject to a lien without the consent in writing of the municipal district or the improvement district as the case may be.

The lien created by the Act is not affected by any execution in the hands of a sheriff at the creation of the lien or by any encumbrance except only mortgages or encumbrances under The Bills of Sale Act by way of security for the purchase price of necessaries.

In addition to the lien on the crop, provided that the caveat before referred to is filed within ninety days, a charge is created for the amount of the advance upon the land of the recipient taking priority over all encumbrances which were not registered at the time of the filing of the lien.

Provision is made for the keeping of proper records by the proper officers of all advances made and all payments made in respect thereof.

Provision is made for the taking of security in the matter of a mortgage on live stock to secure the repayment of advances in the case of persons who are lessees or homesteaders or purchasers under agreements of sale.

Any person who obtains any commodity and uses the same for any purpose other than the purposes for which the same were furnished, without the consent of the municipality, is made guilty of an offence and liable to a fine of not more than one hundred dollars and costs and in default of

payment to imprisonment for a term not exceeding ninety days.

All advances are to be made in kind and not otherwise.

The member of the Council of a municipality or any officer of a municipality who votes for or knowingly permits the improper borrowing or misapplication of moneys received under the authority of the Act, is made liable to a fine not exceeding one hundred dollars nor less than twenty dollars and in default of payment to imprisonment for a term not exceeding two months.

Provision is made for the discharge of liens and charges in respect of an advance which has been repaid and for the writing off of uncollectible accounts for advances to the extent of fifty per cent.

The Lieutenant Governor in Council is empowered to enter into an agreement with the Government of Canada for the guarantee by that Government of guarantees given by the Lieutenant Governor in Council for the repayment of sums borrowed by municipalities.

This Act replaces The Agricultural Relief Advances Act which is repealed.

This Act came into force on March 31, 1938.

CROP PAYMENTS (IRRIGATED LAND SALES) ACT (Chapter 43). This Act is designed to give effect to certain recommendations made by a Commission consisting of Mr. Justice Ewing, Dr. F. A. Wyatt and Roy W. Risinger, commissioners appointed pursuant to The Public Inquiries Act to inquire into the various phases of irrigation development.

The Act relates to sales made on crop share payments and crop leases entered into by an Irrigation District or by The Lethbridge Northern Colonization Manager or by The Canada Land and Irrigation Company Limited, and agreements for the extinguishment of any water right payments entered into by any such District, Manager or Company under which the purchase money is payable by crop shares.

Section 3 relates to agreements for sale, leases and agreements for the extinguishment of water right payments made by an Irrigation District or by The Lethbridge Northern Colonization Manager on crop shares and declares that until the delivery of the share of crop to the vendor or lessor the property and such share is vested in the vendor or lessor.

The maximum share of crop which may under the Act be vested in a vendor or lessor which is either an Irrigation District or The Lethbridge Northern Colonization Manager is one-tenth share of root crops or one-fifth share of other crops, and the maximum share of crop which may be vested in The Canada Land and Irrigation Company Limited is not more than one-tenth share of root crops and not more than one-quarter share of all other crops.

In case of non-delivery of a crop share on the date fixed for the delivery thereof the vendor is empowered to seize and to sell the same and for that purpose is given the same powers of sale as are conferred upon the treasurer by section 146 of The Irrigation Districts Act.

Section 6 requires any person who has under seizure by virtue of any attachment or execution or assignment for the benefit of creditors, any crop liable to seizure under this Act, to pay to the vendor any amount due under his agreement on demand.

Section 7 provides that the proceeds of any share of crop received by a vendor under a crop share agreement shall be applied—

(i) in payment of all costs of seizure.

(ii) in payment of indebtedness for water service charges or water rentals;

(iii) in payment of interest on purchase money; and

(iv) in payment of principal.

Section 8 excludes the operation of The Debt Adjustment Act, 1937, The Postponement of Debts Act and The Crop Payments Act, 1922, in the case of agreements for sale on leases made by a vendor as defined in the Act.

Section 9 requires the operator of any threshing machine used in threshing crops grown on any land which is held under a crop share agreement as defined in the Act, when required to do so by the vendor under the agreement, to deliver to the vendor a statement under oath of all grain threshed upon such land in the six months preceding the demand upon payment of the sum of one dollar, such statement to be delivered or sent by mail within forty-eight hours of the delivery of the demand, and any person who makes default in complying with any of the provisions of this section is declared to be guilty of an offence and liable upon summary conviction therefor to a fine of not more than fifty dollars and costs or in default of payment to im-

prisonment for a term of not more than sixty days.

This Act came into force on March 31, 1938.

HORNED CATTLE PURCHASES ACT (Chapter 44). Section 3 of this Act provides that every dealer who purchases cattle with horns shall purchase the same at the current market price for cattle which are polled or have been dehorned and shall pay to the vendor for cattle with horns the current market price less the sum of one dollar for each head of cattle with horns so purchased; and shall pay to the Minister one dollar per head for each head of cattle with horns so purchased. Sums so received are to be paid over into a special trust account and are made available for meeting expenditures incurred with the approval of the Lieutenant Governor in Council for the improvement of live stock in the Province.

Section 4 provides for the making of monthly returns by every dealer as to the purchases made by him of cattle with horns during the previous month and the payment by the dealer of the amounts payable by him pursuant to section 3.

Section 5 makes any default in complying with the provisions of section 4 an offence punishable by fine and in default of payment imprisonment.

Section 6 makes a dealer convicted of an offence under the Act liable to the suspension or cancellation of any Provincial license held by him for the operation of any abattoir, packing plant or creamery or as a cattle dealer.

Sums payable under the Act are made recoverable as debts due to the Crown.

This Act came into force on March 31, 1938.

FARM CULTIVATION LIEN ACT (Chapter 45). This Act creates a lien for the price of clearing, breaking or cultivating land in favour of a contractor under a contract which is in the form and has been filed as prescribed therein, and such agreement may provide for payment of the contract price in grain. (Sections 2 and 3).

The amount of lien must not exceed an amount calculated at the following rates, namely, for clearing at the rate of $6.00 per acre; for breaking at the rate of $6.00 per acre; and for cultivating at the rate of $3.00 per acre. (Section 7).

Sections 4, 5 and 6 contain provision as to the filing of the agreement and the affidavits which are to be filed with it, and

requires the agreement and affidavits to be filed in the Registration District in which the land to which the agreement relates is situate, within thirty days after the date upon which the agreement was executed.

The lien becomes effective upon the compliance with the requirements of the Act as to the execution, filing and registration of the agreement and due performance of the agreement by the contractor. (Section 6).

The money payable under such an agreement is to be payable by two equal annual instalments, the first on the 1st October next after the completion of the work and the second on the 1st October of the following year.

The lien is upon any crops grown on the land cleared, broken or cultivated pursuant to the agreement, sown within eighteen months of the completion of the contract work. (Section 9).

The lien is given priority over all incumbrances, and claims, except claims for taxes, claims of the Crown, mortgages for seed grain and necessaries and charges for seed and/or feed advances. (Section 10).

The lien is enforceable by distress. (Section 11).

The prescribed form of agreement is set out in the Schedule to the Act.

This Act came into force on March 31, 1938.

STOCK INSPECTION ACT, 1922, AMENDMENT ACT, 1938 (Chapter 46). The amendment made by section 2 revises the provisions relating to the inspection of cattle at public stock yards and abattoirs.

Subject to the other provisions of the section, all stock brought into a place at which there is an inspector and which is a public stock yard or abattoir, or a place in which stock is held for shipment out of the Province, is required to be placed in locked pens and to be inspected before removal.

No inspection is required in the case of stock being moved from point to point in the Province which is brought into a public stock yard at Calgary or Edmonton for rest and feed and is kept in locked pens and has not been offered for sale.

No inspection fee is payable for the inspection of feeder cattle on removal from a public stock yard for feeding and finishing.

No inspection fee is payable in respect of stock brought into an abattoir if the same

has been inspected on the day it is brought into the abattoir and the inspection fee has been paid.

The provisions of section 5 of the principal Act are made applicable to shipments by public service vehicles as well as to shipments by railway. (Section 3).

Section 4 amends section 7 of the principal Act and requires the giving of notice by mail or telegraph to the Live Stock Commissioner or the local brand inspector of every proposed shipment of live stock out of the Province by railway or by a public service vehicle; such notice to reach the Commissioner or inspector at least two clear days before the proposed date of shipment.

This Act came into force on March 31, 1938.

DOMESTIC ANIMALS (UNORGANIZED TERRITORY ACT) AMENDMENT ACT, 1938 (Chapter 47). The amendment made by section 2 is consequential upon amendments made to The Tilley East Area Act and The Berry Creek Area Act.

The amendment made by section 3 provides that poundkeepers appointed in an extra-municipal area shall hold office during the pleasure of the Minister.

This Act came into force on March 31, 1938.

BULL EXCHANGE ACT (Chapter 48). By this Act the Minister of Agriculture is authorized to assist persons owning bulls to acquire bulls of a better grade and for that purpose is empowered to enter into agreements for the purchase of bulls either as a principal or as an agent for a named principal or an unnamed principal upon such terms and conditions as he may deem proper; to sell or agree to sell any bulls and to pay the cost of and incidental to the delivery of any bulls so sold to the purchaser thereof; and to arrange for the delivery of any bulls purchased by him as an agent to the principal and to pay the cost of and incidental to the delivery thereof to the principal.

All sales made by the Minister are to be for cash.

Pending the delivery of any bull purchased by the Minister to a nominee of the Minister the bull is to remain at the risk of the vendor.

No action is maintainable against the Minister for a breach of any of the terms of any agreement entered into by the Minister under the Act or for breach of warranty or otherwise.

Persons desirous of acquiring a bull pursuant to the Act are required to make an application to the Minisetr in writing in such form as the Minister may prescribe.

This Act came into force on March 31, 1938.

DAIRYMEN'S ACT AMENDMENT ACT, 1938 (Chapter 49). The amendments made by this Act provide for the licensing of concentrated milk plants and for the appointment by the Minister of advisory boards consisting of a chairman and not more than two other members, when requested so to do by the Minister, to inquire into any application for the granting or renewal of any license in respect of a creamery or a cheese factory.

The Minister is empowered, in cases which he has referred to an advisory board upon the recommendation of that board and in other cases where he thinks fit, to refuse any application for the granting or renewal of any license or permit. Upon being satisfied that any place in respect of which a license has been issued has ceased to conform to the requirements of the Act or that the business conducted thereon is not operated in conformity with provisions of the Act, the Minister may in his uncontrolled discretion cancel or suspend any such license.

This Act came into force on March 31, 1938.

DRAINAGE DISTRICTS ACT AMENDMENT ACT, 1938 (Chapter 50). The amendment made by this Act places upon the municipality the duty of maintaining bridges constructed, enlarged or improved at the joint cost of the municipality and a drainage district and provides that the cost of maintenance shall be apportioned between the municipality and the drainage district in the same proportion as the original cost of construction, enlargement or improvement was apportioned.

This Act came into force on March 31, 1938.

STALLION ENROLMENT ACT AMENDMENT ACT, 1938 (Chapter 51). The amendment made by section 2 prohibits the use of a grade stallion or a pure bred stallion which is not enrolled pursuant to the provisions of the Act from being used for the servicing of mares which are not the bona fide property of the owner of the stallion.

The amendment made by section 3 provides for the inspection in 1938 of all en-

rolled stallions which have not been inspected since the 31st day of December, 1933, and thereafter for the inspection in every fifth year of every enrolled stallion; provision is made for the issuance of an interim certificate of a stallion before inspection; further provision is made for the cancellation of the enrolment of a stallion which has not been inspected in any year in which it is required to be inspected; further provision is made for the remission of the inspection fee in cases where enrolment is refused as a result of an inspection.

This Act came into force on March 31, 1938.

SEED GRAIN AND OTHER ADVANCES SECURITY ACT, 1936, AMENDMENT ACT, 1938 (Chapter 52). This Act continues during the year 1938 the operation of The Seed Grain and Other Advances Security Act, 1936 (1936, ch. 65 as amended by 1937, ch. 37). That Act relates to advances made by mortgagees to mortgagors, vendors to purchasers, and lessors to lessees, of seed grain, feed grain, fodder, fuel oil and lubricating oil; prescribes the security which may be taken therefor; and creates a statutory charge upon crops grown in the year in which the advance is made and in the next ensuing year.

This Act came into force on March 31, 1938.

IRRIGATION RATES AND DRAINAGE RATES PENALTIES ACT, 1938 (Chapter 53). This Act enables boards of trustees of Irrigation Districts and Drainage Districts by by-law to authorize cancellation of penalties added to rates in arrear as at the 1st of January, 1938, upon the payment in 1938 of a sum equal to five per cent of the arrears; and such by-law must also provide for the allowance of a discount on rates levied in 1938 of five per cent if paid on or before the 1st November, 1938, and two and one-half per cent if paid after the 1st November, 1938, and on or before the 15th December, 1938.

The Lieutenant Governor in Council is authorized to prescribe by order the by-law to be passed by all such boards of trustees or by any specified boards of trustees; and any by-law so prescribed is to be enacted by every board required by the Order in Council to enact the same; and every by-law so enacted supersedes any by-law previously enacted.

This Act came into force on March 31, 1938.

HOURS OF WORK ACT AMENDMENT ACT, 1938 (Chapter 54). Section 2 of this Act defines "Overtime" as any time worked during one day in excess of nine hours in the case of a female employee and ten hours in the case of a male employee and time worked during one week in excess of 48 hours in the case of a female and 54 hours in the case of a male.

This Act came into force on April 8th, 1938.

DEPARTMENT OF TRADE AND INDUSTRY ACT AMENDMENT ACT, 1938 (Chapter 55). The amendment made by section 2 of the Act adds to the Act a new provision which empowers the Minister or any official of his Department designated by him, to require the furnishing of statistical information as to the trades in the Province by persons engaged therein; and makes it an offence for any person engaged in any trade who fails to comply with a written demand by the Minister for such information after such person has or is able to procure after thirty days from the receipt by such person of the demand; such offence being punishable by a fine of ten dollars per day for each day during which the default continues; and in any prosecution the onus of showing that the defendant did not have or could not procure any information is upon the defendant; it is further provided that such information shall be used for official and statistical purposes only; and any unauthorized disclosure thereof, is prohibited under penalty.

Section 3 empowers the Lieutenant Governor in Council, by regulation, to prescribe standard specifications as to commodities used in industry or which are merchandise and the manner in which the occasions upon such specifications shall be made known by dealers therein, either generally or to specified persons or classes of persons, and to prescribe penalties for the contravention of any such regulation of not more than two hundred dollars and costs and in default of payment imprisonment for a term of not more than sixty days.

Section 4 repeals section 7 of the Act the substance of which is re-enacted by section 7 of the Act.

Section 5 repeals sections 11 and 12 which relate to the Advisory Board and Advisory Committees.

Section 6 makes new provision for the appointment by the Minister, with the approval of the Lieutenant Governor in Council of a General Advisory Board, Special Advisory Boards or Advisory Committees and Investigators.

Section 7 gives to Advisory Boards, Advisory Committees, the Price Spreads Board and every member thereof and all Investigators, in connection with their functions, the power to take evidence and to compel the attendance of witnesses and production of documents.

Sections 8 and 9 make minor verbal amendments to sections 15 and 17 of the Act.

This Act came into force on March 31, 1938.

INDUSTRIAL STANDARDS ACT AMENDMENT ACT, 1938 (Chapter 56). The amendment made by section 2 relates to the schedules of wages and hours and days of labour for an industry which may be agreed upon at a conference called by the Minister of the representatives of any industry in any one or more zones, and in any such schedule may,—

(a) establish the hours of work of a working day and prescribe the hours of the day during which such hours of work may be performed;

(b) establish the maximum hours of work for a working week;

(c) establish the minimum rates of wages for regular working periods;

(d) establish the particular days in the week for the performance of labour in the industry;

(e) establish the rates of wages, periods for and conditions governing overtime;

(f) classify employees and employers and separately provide for each classification with respect to any matters dealt with in a schedule;

(g) define any term used in the schedule;

(h) specify the operations which are included in the industry;

(i) prohibit overtime without a permit;

(j) fix minimum charges for services;

(k) authorize the fixing by the advisory committee of a minimum rate of wages lower than the rate fixed by the schedule for certain classifications

Section 3 amends section 16 of the Act by substituting the "Board" for the "Commissioner of Labour."

Section 4 adds two new provisions to the Act. The first relates to collusive agreements between employer and employee whereby the amount of wages payable is less than the minimum wage to which he is entitled under the Act and provides that

any employee or employer entering into any such agreement shall each be liable on summary conviction to a fine of not more than one hundred dollars.

The second provision makes it an offence for an employer to discharge or discriminate against an employee because any employee has made a complaint under the Act or has testified or is about to testify, or because such employer believes that the employee may testify at any inquiry or in any proceedings relative to the enforcement of the Act, or because the employee has made or is about to make any such disclosure as may be required by him by virtue of the provisions of the Act, and prescribes a penalty of not more than five hundred dollars.

This Act came into force on March 31, 1938.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT (Chapter 57). Sections 4 to 8 of this Act re-enact the substance of The Freedom of Trade Union Association Act and the remaining provisions of the Act re-enact the substance of The Labour Disputes Act, both of which Acts are repealed by this Act.

Section 4 recognizes the right of employers and employees to organize for any lawful purpose.

Section 5 gives recognition to the right of employees to bargain with employers collectively through their elected representatives; it provides for the making of a return to the Minister as to meetings held to elect representatives; and makes it lawful for the majority at any such meetings to exclude therefrom undesired persons; it further declares it to be an offence for any employer to refuse to bargain collectively.

Section 6 declares it to be unlawful for an employer to make any stipulation in respect of any employment whereby the employee is restrained from exercising his rights under the Act.

Section 7 makes it an offence to compel any person to join or refrain from joining and organization or to refrain from attending meetings of employees or from acting as a representative or to refrain from becoming an officer of any association by intimidation, threat of loss of position or employment or by actual loss of position or employment, such offence being punishable by a fine of not more than five hundred dollars. This section does not prevent an organization of employees from maintaining an existing agreement or entering into a new agreement whereby all the employees

of the employer are required to be members of a specified organization of employees.

Section 8 preserves the right of an employer to suspend, transfer, lay off, or discharge employees for proper and sufficient cause.

Section 9 provides for the filing with the Minister by every organization of employees and every branch or local thereof, copies of its constitution, rules and by-laws, and an annual list of names and addresses of its president, secretary, organizers and other officers, such information to be used for the purposes of the Act and not to be open to inspection by the public.

Section 10 empowers the Minister to require organizations of employees to deliver a general statement of its receipts and expenditures; the officers of such organizations are made responsible for the delivery of the statement; the information contained in such statements are to be used solely for official and statistical purposes; and the communication for any other purpose is prohibited.

Sections 11, 12, 13 and 14 provide for the appointment of a Conciliation Commissioner for the adjustment of disputes.

Section 15 provides for an inquiry by the Conciliation Commissioner into a dispute and authorizes him to effect a settlement of the dispute by conciliation.

Section 16 makes it the duty of the Conciliation Commissioner to promote conditions favourable to a settlement by endeavoring to allay distrust, to remove causes of friction, to promote good feeling, to restore confidence and to encourage the parties to come together and themselves effect a settlement.

Section 17 provides for a report by the Conciliation Commissioner as to any dispute referred to him.

Section 18 provides for the reference of the dispute to arbitration in any case where the Conciliation Commissioner reports that he has been unable to effect a settlement.

Sections 19 to 21 prescribe the procedure leading up to the nomination of members of the Arbitration Board.

Section 22 provides for the appointment of three arbitrators by the Lieutenant Governor in Council as a Board of Arbitration, and provides that no person shall be appointed an arbitrator unless he is a British subject and has been a resident of Alberta for three years immediately preceding the date of appointment.

Sections 23 to 25 prescribe the oath to be taken by the members of the Board, the provision of the Board with secretarial, stenographic and other assistance, and the supplying of vacancies in the membership of the Board.

Sections 26 to 39 make provision as to the procedure to be followed by the Board in conducting any hearing, and the powers of the Board to compel the attendance of witnesses and production of documents; to take evidence under oath and to inspect any premises on which any industry has been carried on which has been made the subject of a reference to the Board.

Section 40 makes provision for the making of an award by the Board.

Section 41 provides that an award shall not make any direction or recommendation which conflicts with the provisions of The Factories Act, 1926, The Hours of Work Act, The Minimum Wage Act, 1925, The Male Minimum Wage Act or The Industrial Standards Act.

Section 42 provides for the signing of the award and its transmission to the Minister and for the reference by the Minister to the Board where any question arises as to the meaning or application of or as to anything relating to or connected with the award.

Section 43 provides for the sending of a copy of the award to the parties to the dispute and the publication thereof.

Section 44 empowers the parties, subject to section 45, either to accept or reject the award.

Section 45 provides for the submission of the question of acceptance or rejection of the award to a separate vote by the employees and employers, such vote to be by secret ballot and the taking of the vote is to be taken on a date fixed by the Minister and may be under the supervision of the Minister.

Section 46 prohibits an employer who is a party to a dispute arising from declaring or causing a lock-out, or any employees who are parties to the dispute to go on strike during the period between an application for the appointment of a Conciliation Commissioner under section 12 and fourteen days after the date fixed for the taking of a vote under section 45.

Section 47 provides that where any dispute arises, no employer is to make changes in wages or hours without the consent of the employees and no employer is to declare or cause a lock-out and no employees are to go on strike prior to an application for the appointment of a Conciliation Commissioner.

Section 48 provides that sections 11 to 47 of the Act shall be inapplicable in cases where there is an agreement between an employer and an organization of employees approved in writing by the Minister for the arbitration of disputes.

Section 49 provides a penalty for offences in respect of which no express penalty is imposed.

Section 50 provides that no court shall have power or jurisdiction to enforce any award made under this Act.

Section 51 provides that no proceeding under the Act shall be invalid by reason of any defect of form or any technical irregularity.

Section 52 provides for the payment of the costs of administration of the Act.

Section 53 provides for the making of regulations by the Lieutenant Governor in Council.

Section 54 repeals The Labour Disputes Act and The Freedom of Trade Union Association Act.

This Act came into force on May 1, 1938.

MALE MINIMUM WAGE ACT AMENDMENT ACT, 1938 (Chapter 58). The amendment made by section 2 makes the definition of "Employee" include all employees regardless of age.

Section 3 adds a new part to the principal Act relating to fair wage, and provides that the Board, with the approval of the Lieutenant Governor in Council, may after due enquiry prescribe, as the fair rate of wage, such rate of wages for all classes of employees engaged in any specified industry, trade or occupation in the Province, or in any specified area or areas or at any specified place or in any specified work or undertaking. The rate of wages so prescribed is to be the rate of wages payable by an employer carrying out any work where the original contract for the work contains a fair wage clause, also in cases where the rate of wages is not fixed by the agreement of hiring.

This Act came into force on March 31, 1938.

TRADESMEN'S QUALIFICATION ACT AMENDMENT ACT, 1938 (Chapter 59). The amendment made by section 2 of this Act empowers the Lieutenant Governor in Council to designate areas in the Province within which a tradesman may not carry on a designated trade unless he is the holder of a certificate of proficiency or to desig-

nate parts of the Province as excepted areas within which a certificate of proficiency shall not be requisite in respect of a designated trade.

Section 3 is consequential on the foregoing amendment, and makes it an offence to engage in a trade at any place in the Province where such person is prohibited from carrying on such trade.

This Act came into force on March 31, 1938.

CO-OPERATIVE MARKETING ASSOCIATIONS GUARANTEE ACT AMENDMENT ACT, 1938 (Chapter 60). By this Act provision is made for the guaranteeing by the Province of the repayment of borrowings made by a Co-operative Marketing Association for working capital in cases where the borrowings of such an association for capital expenditures have been guaranteed under the other provisions of the Act and such last mentioned borrowings have not been fully repaid; provided that the amount for which such a guarantee may be given is not to exceed the amount which has been paid on account of the borrowings for capital and is not in any case to exceed ten thousand dollars.

This Act came into force on March 31, 1938.

THEATRES ACT AMENDMENT ACT, 1938 (Chapter 61). By this Act the Provincial Secretary is given the power to refuse any application for a license under The Theatres Act in his discretion, and to revoke or suspend any such license for any cause prescribed by the Lieutenant Governor in Council.

This Act came into force on April 8, 1938.

VEHICLES AND HIGHWAY TRAFFIC ACT AMENDMENT ACT, 1938 (Chapter 62). The amendment made by section 2 of this act relates to the necessity for registration of motor vehicles on highways and restates the substance of section 3 of the Act to make the same expressly applicable both to the owner of and any person operating a motor vehicle.

Section 3 amends section 7 of the principal Act which relates to the disposition of number plates and the transfer or cancellation of licenses upon the sale of a motor vehicle; and amplifies the existing provisions so as to prevent the trafficking in number plates.

Section 4 strikes out the provisions as to liverymen which are by another Act to be re-

enacted as part of The Public Service Vehicles Act.

The amendment made by section 5 requires every motor vehicle and bicycle to be equipped with a horn, gong and bell; requires the same to be sounded when necessary to warn persons in the vicinity and prohibits the unreasonable use thereof.

The amendment made by section 6 amends section 43 of the principal Act which provides that in case a person exceeds a rate of speed of twenty miles an hour in cities, towns or villages or a rate of thirty miles an hour elsewhere, such person is prima facie to be deemed to be driving at an unreasonable speed; the rates of speed are respectively increased from twenty miles to twenty-five miles, and from thirty miles to forty miles.

Section 7 makes new provisions requiring vehicles about to enter on any main Provincial highway to be brought to a stop not less than ten feet distant from the highand prohibit such vehicle from entering on or crossing the highway until it is safe to do so, prohibiting the parking of vehicles on the travelled part of highways elsewhere than in cities, towns and villages if it is practicable to park the vehicle off the travelled highway; prohibiting the parking of any vehicle within thirty feet of the point of intersection of highways; and requiring the giving of signals as prescribed by the regulations before turning or stopping any vehicle.

Section 8 amends section 51 of the principal Act which prohibits any vehicle from passing the place of ingress or egress of a street railway car stopped to receive or discharge passengers, until the path of the vehicle is clear, and makes the same applicable to school vans.

Section 11 restates section 84 of the principal Act which empowers the Minister of Public Works to make certain regulations as to the weight, speed, width of wheels in respect of vehicles on highways in such a way as to correspond with a similar provision inserted in The Public Service Vehicles Act.

This Act came into force on March 31, 1938.

BREAD ACT AMENDMENT ACT, 1938 (Chapter 63). The amendment made by section 2 extends the definition of a bake shop to places at which bakery products are made in addition to bread; and defines bakery products as meaning cakes, pastries, pies and other products ordinarily made in a bake shop.

Section 3, 5, 6, 7, 8, 9 and 10 make amendment to sections 11, 18, 21, 22, 23, 24 and 25 of the principal Act which are consequential on the amendment made by section 2.

The amendment made by section 4 strikes out of section 12 of the principal act certain provisions as to weight of loaves of bread which may be made in a bake shop and the manner in which bread may be described on the sale thereof.

This Act came into force on March 31, 1938.

SUPERANNUATION ACT AMENDMENT ACT, 1938 (Chapter 64). The amendment made by section 2 permits the inclusion of any continuous service on or before the first of July, 1922, in computing the term of continuous employment of a civil servant, for the purpose of ascertaining whether or not such civil servant is entitled to superannuation.

Section 3 provides for the delivery to the Civil Service Commissioner of a birth certificate or other evidence of the date of birth, by employees employed as at the thirty-first day of December, 1938, on or before that date and by persons becoming employees after that date, as soon as possible after the commencement of the employment. It further empowers the Superannuation Board, in cases where there has been any misstatements as to age, to make adjustments in fixing the amount of the annuity payable or direct the repayment without interest, in satisfaction of his claim.

This Act came into force on March 31, 1938.

ALBERTA INSURANCE ACT, 1926, AMENDMENT ACT, 1938 (Chapter 65). Section 2 of this Act inserts in the principal Act a new provision as section 44a, requiring the Superintendent to report to the Minister any violation of any of the provisions of the Act by a licensed insurer and empowering the Minister to suspend, cancel or to refuse to renew the insurer's certificate or license.

The amendment made by section 3 empowers the Superintendent to examine the books, records and insurance contracts of persons dealing with unlicensed insurers, without being instructed so to do by the Minister.

The amendment made by section 4 makes Part IV of the principal Act applicable to every contract of insurance other than contracts of life insurance to which Part VI applies.

The amendment made by section 5 amends section 167 of the principal Act by declaring that every person domiciled or resident in the Province at the date thereof, or the subject matter of which is property within the Province, shall be deemed to be made in the Province and shall be construed accordingly.

Section 6 amends section 181 which sets out the requirements as to the issuance of policies on risks within the Province.

Section 183 is amended by section 7 by adding thereto new provisions prohibiting the requirement by a lender as the term of a loan, the cancellation of subsisting policies with licensed insurers, and also prohibiting the cancellation by trust companies of subsisting policies with a licensed insurer on property for which such company is the trustee, except where the necessity for other insurance of a similar description is taken out in respect of the property during the term of the first mentioned policy.

Section 8 inserts in the Act new section 457b, which gives a life insurance agent and his estate a right to receive the commissions on all renewal premiums paid in respect of life insurance written by him at the rate of commission specified in the agent's contract and for the period prescribed therein.

Section 8 of this Act is to come into force on a date to be fixed by proclamation. The remainder of the Act came into force on April 8th, 1938.

PUBLIC WORKS ACT AMENDMENT ACT, 1938 (Chapter 66). The amendment made by this Act empowers the Minister of Public Works and his agents to erect snow fences on any land contiguous to any highway; no rent or other compensation is payable to any person in respect thereof; and any snow fences so erected are declared to be public works for the purposes of The Public Works Act.

This Act came into force on March 31, 1938.

PUBLIC HIGHWAYS ACT, 1929, AMENDMENT ACT, 1938 (Chapter 67). This Act strikes out section 24 of The Public Highways Act, 1929, which provides for the making of regulations as to the use of highways. The substance of the repealed provision is incorporated in The Public Service Vehicles Act by another Act.

This Act came into force on March 31, 1938.

TOWN PLANNING ACT, 1929, AMENDMENT ACT, 1938 (Chapter 68). The amendment made by this Act strikes out certain sections of the Act relating to filling stations in the vicinity of a declared highway. Filling stations are now licensed under The Fuel Oil Licensing Act (1936, Ch. 68).

This Act came into force on March 31, 1938.

PUBLIC SERVICE VEHICLES ACT, AMENDMENT ACT, 1938 (Chapter 69). Section 2 of this Act strikes out the definition section of the principal Act and substitutes a new section including new definitions of "Minister," "Semi-Trailer" and "Truck," and amends certain of the other definitions.

By section 3 additional powers are conferred upon the Board to make regulations providing for a uniform bill of lading; the issue of numbered tickets by owners of passenger carrying public service vehicles; classifying live stock, goods, merchandise and other material; respecting the nature of goods which may be carried as express freight; respecting the nature of containers which may be used in freight shipments; prescribing the form of certificates and permits to be used by the Board and the period in respect of which any certificate or permit is issued and the fees therefor; the restriction as to use of public service and commercial vehicles; the speed and equipment of public service and commercial vehicles; safety rules; and the operation of motor vehicles owned or operated by clubs, societies or in partnership.

Section 4 inserts a new provision in the Act empowering the Board with the approval of the Lieutenant Governor in Council to prohibit the operation of any public service vehicle along any specified highway by any person who is not the holder of a special permit; to prohibit the operation of any public service vehicle in any specified area of unsurveyed lands by any person who is not the holder of a special permit; and to provide for the issuance of special permits, the person or persons to whom the same are to be issued, the duration thereof and the fees payable in respect thereof. It further provides that the tolls to be charged by the holder of any special permit in respect of the operation of a public service vehicle over any designated highway or in any specified area shall be such tolls as may be approved from time to time by the Highway Traffic Board. It is further provided that any person who operates any public service

vehicle in contravention of any of the provisions of this section is guilty of an offence and liable to a penalty and to the cancellation of his permit.

Section 5 inserts a new provision into the Act giving the Highway Traffic Board, with the approval of the Lieutenant Governor in Council, the power to make regulations limiting or restricting weight, speed, width of wheels and the use of cleats, in respect of any or all traction engines or public service vehicles or commercial vehicles upon highways, and relating to the maximum weight and load, the size and nature of tires to be used on such vehicles and the dimensions of any vehicles or combination of vehicles.

Section 6 confers upon a consignor entitled to recover money from a transporter, the payment of which is guaranteed by virtue of any guarantee insurance, the right to recover such sum from the guarantor under the policy.

Section 7 amends section 17 of the Act, which provides for the public hearing by the Board of all applications for public service vehicle certificates.

Section 8 substitutes the first day of February for the first day of December as the date upon which applications are made for the renewal of public service vehicle certificates and further provides for the issuance of renewal certificates without a public hearing.

Section 9 repeals section 27 of the principal Act.

Section 10 of the Act makes new provision for the carriage on trucks of persons other than the owner or his employees. The prohibition is limited to public service vehicles and commercial vehicles and prohibits the carrying of any passengers thereon save and except the employees of the owner of the truck whose services are required for the loading or unloading thereof and members of the family of the owner and the owners or employees of the owner of any live stock being transported thereby.

Section 11 provides for the issuance for public service vehicles of a plate designating the gross carrying capacity of such vehicle and requiring the plate to be displayed upon the vehicle.

Section 12 amends section 55 of the Act and makes special provision for public service vehicles used solely in the hauling of coal, clay, gravel and other materials specified by the Board within the limits of a city, town or village, or within those limits and a radius of five miles therefrom.

Section 13 amends subsection (2) of section 64 to include orders as well as regulations.

Section 12 inserts in the Act provisions for licensing livery men which are substantially the same as those which have heretofore been enacted by The Vehicles and Highway Traffic Act, substituting The Highway Traffic Board for the Provincial Secretary as the licensing authority.

This Act came into force on March 31, 1938.

POLIOMYELITIS SUFFERERS' ACT, (Chapter 70). This Act empowers the Minister of Health, with the approval of the Lieutenant Governor in Council to enter into agreements with the Board of any hospital which is equipped and has proper facilities for the treatment of persons who have been afflicted by Poliomyelitis (Infantile Paralysis), and who are suffering from the consequences thereof, providing for the reception, hospitalization, care and treatment in such hospital of such persons upon such terms and conditions as may be prescribed by the agreement.

The Minister of Health is further empowered with the approval of the Lieutenant Governor in Council to make provision for the training and instruction of persons who have been afflicted by Poliomyelitis and who are suffering from the consequences thereof.

This Act came into force on March 31, 1938.

BUREAU OF RELIEF AND PUBLIC WELFARE ACT AMENDMENT ACT, 1938 (Chapter 71). Section 2 of this Act makes provision for the appointment of committees of three for the purpose of making a thorough investigation into relief problems presented to the Agricultural Committee on Relief and making recommendations for remedial changes, and for the purpose of arranging for the acquisition and distribution of supplies of fruit, vegetables and clothing for relief purposes, and provides the payment of subsistence and expenses to members of such committees including such of them as may be members of the Legislative Assembly.

The provisions of section 12 as to the liability of municipalities for the provision of unemployment relief are amended so as to define such liability and to provide an expeditious method of determining disputed questions of liability by a reference to a Judge of the District Court.

New provision is made to the effect that the liability of a municipality for unemployment relief to a person who is a resident thereof to whom it has granted such relief, continues until such person becomes a resident of another municipality.

Section 16 of the principal Act is amended to provide for the maintenance of a recipient of unemployment relief who is ordered to return to the municipality of which he is a resident during the period of twenty days after the making of the order, in cases where a municipality of which he is not a resident is then providing him with relief.

Section 9 makes an addition to section 17 of the principal Act which sets out the procedure to be followed by a Magistrate or Justice of the Peace in dealing with information and complaints under that section; and further expressly provides as to the right of employable persons aggrieved by the refusal or inadequacy of unemployment relief to take proceedings under the section.

Amendments of a clarifying nature are made to sections 11 and 14.

This Act came into force on April 8th, 1938, and section 2 thereof is retroactive to the 1st of April, 1937.

PUBLIC HEALTH ACT AMENDMENT ACT, 1938 (Chapter 72). The amendment made by this Act defines the expressions "Municipality" and "Council" for the purpose of sections 22a to 22l both inclusive. These sections relate to Full Time Health Districts.

This Act came into force on March 31, 1938.

MUNICIPAL HOSPITALS ACT, 1929, AMENDMENT ACT, 1938 (Chapter 73). Section 2 of the Act enables the Hospital Board, with the approval of the Minister, to defer from time to time the acquisition of a hospital and to enter into agreements with any other Board or any other hospital for the provision of hospital facilities for the residents of the municipal hospital district, and every agreement so made is declared to be valid and binding upon the parties thereto. This section is retroactive to the first day of April, 1937.

Section 3 provides that where a vote is taken for the addition to or detachment of any area from a hospital district and the addition or detachment is not approved, the expenditures incurred in taking the vote

are to be paid by the municipality or improvement district in which the vote is taken, and if the vote is taken in more than one municipality or improvement district then by each municipality or improvement district in that proportion which the amount of the last requisition made upon that municipality or improvement district bears to the total of all the requisitions last made upon all the municipalities or improvement districts in which such vote is taken.

Section 4 strikes out subsection (4) of section 55 of the Act.

The amendments made by sections 5 and 6 provide for the establishment of a reserve fund and for expending that fund in altering, improving or adding to hospital buildings, lands or equipment, erecting and equipping a new hospital, nurses' home and acquiring any property real or personal required for the purpose of so doing.

The amendment made by section 7 clarifies the provisions of section 67a which relate to the maximum tax and makes provision for the case of ratepayers who hold land under agreements for sale. A further amendment provides that a non-resident ratepayer shall be entitled to hospital facilities as if he were a resident ratepayer. A further amendment provides that on, from and after the first of January, 1939, all sums collected by any contributing council shall be applied by that contributing council in paying requisitions made upon it pursuant to this Act.

This Act came into force on March 31, 1938, except paragraph (c) of section 7 which comes into force on January 1, 1939.

OLDS AND DISTRICT GENERAL HOSPITAL ACT (Chapter 74). This Act empowers the Town of Olds and the Municipal Districts of Mountain View No. 310 and Westerdale No. 311, to enter into an agreement for the provision of a community hospital upon the terms and conditions set out in the schedule thereto, and contains a number of provisions requisite for the purpose of effecting the object of the Act.

This Act came into force on March 31st, 1938.

DIDSBURY AND DISTRICT GENERAL HOSPITAL ACT (Chapter 75). This Act empowers the Town of Didsbury and the Municipal Districts of Mountain View No. 310 and Westerdale No. 311, to enter into an agreement for the provision of a community hospital upon the terms and conditions set out in the schedule thereto, and contains

a number of provisions requisite for the purpose of effecting the object of the Act.

This Act came into force on March 31st, 1938.

ELEVATOR OVERAGES ACT (Chapter 76). This Act relates to overages in elevators in the Province other than terminal elevators licensed under The Canada Grain Act as mill elevators, public elevators, semi-public elevators or country elevators.

By section 3 the owner of every elevator is required to keep records of the weights of each separate kind of grain received into and taken out of the elevator and to produce the same at any time within three years after their making to the Minister or his representative.

Section 4 requires the owner of every elevator to make an annual return to the Minister of Agriculture on or before the 1st of September, showing the amount of each kind of grain received into and removed out of his elevator during the year ending on the 31st of July preceding the date on which the statement is to be furnished less deductions for shrinkage and dockage, and the amount of each kind of grain in the elevator at the commencement and end of such period; and further requires such owner to remit the value less certain deductions for shrinkage and dockage at the current market price of any overage of any grain as if the overage were, in the case of wheat No. 3 Northern; in the case of oats No. 1 Feed Oats; in the case of barley No. 4 C.W. Barley; in the case of rye No. 3 C.W.; in the case of flax No. 2 C.W. and in the case of mixed grain No. 2 Mixed Grain.

Section 5 provides for the payment by the Minister of Agriculture to the Provincial Treasurer of all sums received by him on account of such overages and for their placement by him in a special trust account, to be expended with the approval of the Lieutenant Governor in Council for all or any of the following purposes, namely, the improvement of seed grain, the improvement of crop products, the control of weeds and generally for the advancement of agriculture.

Section 6 requires the owner of every country elevator to notify the Minister of Agriculture of any suspension or resumption of any suspended operation of his elevator with the dates therof.

Section 7 empowers the Minister of Agriculture to recover by suit any sums payable to him pursuant to this Act.

Section 8 imposes a penalty for any contravention of this Act of not more than five

hundred dollars and costs or in default of payment imprisonment for not more than ninety days.

This Act comes into force on Proclamation.

HOSPITALS ACT, 1938 (Chapter 77). This Act amends and consolidates the provisions of The Hospitals Act which is thereby repealed.

The more important changes made by this Act are noted hereunder:

By section 2 "Approved hospital" is defined as any hospital for the time being in receipt of any allowance under section 3; and "Medical practitioner" and "Relief" are defined.

The provisions of section 5 relating to the duties of Local Authorities are restated: "Indigent person" is defined as a person who is actually destitute of means from his own resources of obtaining medical attention and hospital care necessary for the immediate wants of himself and his dependents; "Resident" is defined as: (i) any person who has resided within the boundaries of the area controlled by the local authority for a period of at least twelve consecutive months out of the twenty-four months immediately preceding the date of application for placing such person in a hospital, without receiving relief; and every such person shall be deemed to be a resident of the area controlled by the local authority within whose boundaries he has last so resided; or (ii) any person who has failed to reside for twelve consecutive months within the boundaries of the area controlled by a local authority, as aforesaid, but has resided, or has been a sojourner, within the boundaries of the area controlled by a local authority for at least three consecutive months out of the six months immediately preceding the date of application for placing such person in a hospital, without receiving relief; and every such person shall be deemed to be a resident of the area controlled by the local authority within whose boundaries he has last so resided: Provided always that such person has not, at the date of such application, a permanent home elsewhere than in the Province.

The following are declared to be cases of urgent and sudden necessity for the purposes of this section: (a) an expectant mother applying for admission to a hospital and certified by the attending physician as requiring hospitalization; (b) any person having or suspected of having cancer and applying for admission to a hospital for a

diagnosis and initial treatment, whose condition, in the opinion of the attending physician, may be cured or improved by hospitalization.

Written orders for hospitalization or medical attention are made binding upon a local authority when signed on behalf of that authority by any member of the council thereof or by the secretary-treasurer or by any person authorized by resolution of the council thereof.

A baby born in a hospital is deemed to be a resident of the municipality of which its parents are resident at the date of birth.

Section 6 deals with the liability of local authorities for its indigent sick residents and repeats with some modifications the substance of a similar section in the repealed Act.

Section 13 contains new provisions as to the liability for the costs of hospital, medical or other services provided in a hospital—(a) to a person who is an infant and unmarried, in which case that person and his parents and guardians and their executors and administrators are liable; (b) to a person of full age, in which case such person and the spouse of such person (if any) and their executors and administrators are liable; and (c) to a person who is an infant and married, in which case that person and the spouse of that person and their executors and administrators are liable.

Section 18 requires actions for damages against the Board of any approved hospital for nonfeasance or misfeasance in providing any service in a hospital, to be commenced within one year after the cause of action arose.

This Act came into force on April 8th, 1938.

TOWN AND VILLAGE ACT AMENDMENT ACT, 1938 (Chapter 78). This Act amends the definition of "Transient trader" so as to include persons who buy as well as persons who sell.

A new section 32a provides for the correction of misnomers, misdescriptions and omissions in orders forming a town or alterations in its area and saves the validity of such orders.

Section 43 of the principal Act is amended so as to make inelegible for election as mayor or councillor any person who is indebted to the town for taxes which are more than two years in arrears; and any person who has resigned on account of

disqualification or to avoid making restitution of money wrongfully received, until the expiry of three years after such resignation.

Section 44 is amended to include professional services rendered by a barrister or solicitor not in excess of two hundred dollars in any year.

Sections 46, 47 and 66 are amended to make the term of office of a town councillor three years instead of two; and provision is made for making the necessary extensions of the terms of office of serving councillors at a meeting of the council in January, 1939.

Section 65 is amended by making new provisions as to the advertisement of a by-law authorizing allowances to the mayor and councillors for attending meetings of the council, and for the submission of such by-law to the proprietary electors.

Section 106 is amended so as to authorize the acquisition of land for the purposes of sewage disposal. New section 136a empowers the council to pass by-laws for the collection, removal and disposition of garbage, refuse and ashes.

New section 145a empowers a council to enter into an agreement with any Irrigation District for a supply of water for irrigation purposes within a town or village and to construct, maintain and operate irrigation works on streets and public places subject to certain conditions set out therein.

Section 148 is amended by redefining "Indigent person" and "Resident" so as to correspond with comparable definitions in The Hospitals Act, 1938.

New section 165a exempts from licensing as a hawker or peddler persons hawking or peddling any goods or merchandise grown, produced or manufactured in Alberta by the grower, producer or manufacturer thereof, or by his agent, producer of manufacturer thereof, or by his agent or servant authorized so to do in writing.

Section 169 is replaced by a new section setting out the number of readings which may be given to by-laws at any one meeting.

Section 184 is amended to make the same applicable to towns as well as villages.

Section 345 is amended by providing that certain public utility contracts shall, upon the expiration of the term thereof and unless the same are renewed or the council purchases the subject matter thereof, continue in force until terminated by six months' notice given with the approval of the Board of Public Utility Commissioners.

Amendments of a minor nature are made to sections 347, 349, 350 and to Forms F and H, and a new Form J is provided.

This Act came into force on April 8th, 1938.

MUNICIPAL DISTRICT ACT AMENDMENT ACT, 1938 (Chapter 79). Section 2 of this Act empowers the Minister to merge two or more municipal districts into one municipal district, and to provide for the appointment of the council to administer the affairs of the new district.

Section 28 is amended by adding a provision disqualifying persons as candidates for election to the council who are more than two years in arrears with their taxes.

Section 29 is amended by providing that a person who has resigned on account of disqualification or to avoid making of restitution for money wrongfully received by him, is ineligible for election until the expiration of three years from the date of such resignation.

Minor amendments are made to section 67.

New section 92a imposes a duty on every council to make adequate provision for the drainage of highways constructed or maintained by the council and the disposition of water collected in any drainage ditch or other artificial depression on or contiguous to the road allowance forming the site of such highway.

Section 145 is amended so as to enable the council to pass by-laws for the supplying of medical care and attention to residents of the district by means of a contract or agreement either alone or in conjunction with another council either by way of guarantee or upon any other basis.

Section 150 is amended in such a way as to correspond with comparable sections in The Hospitals Act, 1938, and also imposes a duty on the council for the internment of indigents dying within the municipal district.

New section 151a exempts from the licensing requirements of the Act, persons hawking, peddling or selling goods, wares or merchandise, grown, produced or manufactured in the Province, of which such person is the grower, producer or manufacturer, or his authorized employee or servant.

Section 157 is amended to include the case of a hospital by-law relating to a part of the district.

Section 191 is amended as to the qualification to vote of certain relatives of persons whose names are upon the voters' list

otherwise than merely by virtue of relationship to some other person upon the said list.

Section 194a is repealed.

Section 344 is amended so as to make the maximum tax $4.00 instead of twenty-five cents.

New section 349a empowers the council to allow a rebate of not more than ten per cent upon current taxes paid within a period of not more than sixty days after the date of mailing of the tax notice.

Minor amendments are made to sections 367 and 367a.

New section 367b provides for the imposition of a minimum tax of four dollars to be paid by all persons assessed on the assessment roll and by all persons gainfully employed who have resided in the district for a month or more and have not been otherwise assessed.

This Act came into force on April 8th, 1938.

IMPROVEMENT DISTRICTS ACT, 1927, AMENDMENT ACT, 1938 (Chapter 80). Section 2 of the principal Act is amended by striking out clause (ii) of paragraph (j).

Section 29b is amended by striking out the words "from any chartered bank."

New section 29c empowers the Minister to borrow for the purpose of paying the requisitions of the Board of a school division.

Section 30 is repealed.

Section 31 is amended by including as items to be entered on the assessment roll the amount of the improvement district tax upon personal property and the amount of the tax payable in respect of any parcel situate in a district included in a school division.

New section 31a empowers the Minister to impose a minimum tax of four dollars.

Section 33 is amended so as to include personal property as well as land.

Section 36 is amended so as to define "taxes" for the purpose of the section and to provide that no discount shall be allowable in respect of any tax unless the current taxes have been paid.

Section 36a is amended by providing that no discount shall be allowable in respect of any tax unless the current taxes have been paid.

Section 40 is amended so as to make taxes in respect of any land, timber berth, mineral,

personal property or business, a lien thereon, having priority over every cleam, lien or encumbrance except the Crown.

Section 54 is amended so as to make the section correspond with a comparable section in The Hospitals Act, 1938.

Section 58a is amended so as to permit the Minister to accept on behalf of an improvement district, gifts of land which are at the time of transfer free from encumbrances other than taxes, and further provides for the assessment and taxation of lands so acquired.

This Act came into force on April 8th, 1938.

ASSESSMENT ACT (Chapter 81). The provisions of this Act relate to all assessments of property, trades, businesses and professions in towns, villages, municipal districts, improvement districts and collecting school districts, for the purpose of local taxation, and replace comparable provisions at present contained in The Town and Village Act, The Municipal District Act and The Improvement Districts Act, 1927.

Under this Act property is assessed once only for the purposes of all local taxation.

Section 5 sets out the property exempt from assessment and taxation, and makes no substantial change in the present exemptions.

Sections 6 to 14 relate generally to assessments.

Section 6 provides for assessment in collecting school districts commencing with the year 1929.

Section 7 deals with the assessment of land and provides that land in a town or village together with all improvements thereon shall be assessed at its fair actual value exclusive of the value of minerals; and empowers the council by by-law to exempt a percentage of the fair actual value of the improvements from assessment and taxation in which case the assessed value of the land and improvements is reduced by the percentage of the assessed value of the improvements exempted from assessment. It further provides than in any other municipality, i.e., any municipal district, improvement district and school district, land with the improvements is to be assessed at its fair actual value less one-third of the value of the improvements; farm buildings and other farm improvements on unsubdivided farm lands are exempted by section 5.

Section 8 provides for the assessment of personal property and stock in trade; section 9 for the assessment of minerals; section 10 for the assessment of timber, sec-

tion 11 for the assessment of buildings erected by a tenant on the station grounds or right-of-way of a railway and of industrial sites consisting of land held under lease from a railway; section 12 for the assessment of buildings, structures or erections on land exempt from assessment owned by a person other than the owner of the land; section 13 for the assessment of land of railway companies and section 14 for the assessment of buildings, structures, machinery, tools and appliances upon the surface of any land occupied in connection with mining operations or drilling for natural gas or oil or salt or with the operation of salt, gas or oil wells.

Section 15 provides for a general assessment of all land in municipal districts and improvement districts in the year 1938 for the purposes of The Alberta Municipal Assessment Commission Act, except where an assessment has been made pursuant to a Minister's order and in certain other cases.

Sections 16 to 25 relate to the annual assessments to be made in all municipalities.

Section 16 relates to municipal districts and improvement districts and adopts for the year 1938 the assessments of land as shown by the finally revised assessment roll for the year 1937 and provides for the assessment in 1938 and every subsequent year of any land liable to assessment not included in the roll for the previous year.

Section 17 provides for the annual assessment of all property other than land in municipal districts and improvement districts and in towns and villages.

Section 18 provides for the levying of a business tax in improvement districts by order of the Minister and in other municipalities by by-law; and section 19 contains provisions as to the extent of the tax and the manner of assessment.

Business tax by-laws require the approval of the Minister for their validity.

Section 21 empowers the assessor to require persons owning or in possession of or having the control or management of any assessable property or engaged in any assessable business to furnish him with information required by him for the purpose of making the assessment.

Section 22 provides for the adoption in any year of the assessment of land and improvements made in the previous year; but in a town or village this may not be done for a period of more than four consecutive years.

Section 24 provides that commencing with the year 1939 the assessment of any property

made pursuant to the Act by any village, municipal district or improvement district shall be the assessment for that property for the purposes of any collecting school district in which it is situate.

Sections 26 to 34 relate to the preparation of the assessment roll and the sending out of assessment notices and are substantially similar to comparable provisions of The Town and Village Act, The Municipal District Act, The Improvement Districts Act, 1927, and The School Assessment Act, 1931.

Sections 35 to 47 relate to appeals against assessments to the Court of Revision in all municipalities except improvement districts; and sections 48 to 55 relate to appeals from Courts of Revision to the Alberta Assessment Commission.

Section 36 relates to appeals against assessments in improvement districts to the Supervisor of improvement districts and from him to the Alberta Assessment Commission.

Sections 56 to 58 empower the Minister to cause special assessments to be made; to prescribe rules, regulations and forms; and to fix dates for the doing of things which cannot or have not been done on the date fixed by the Act for the purpose.

Sections 59 and 60 penalize the making of fraudulent assessments or of fraudulent entries in any assessment roll.

Section 61 imposes certain duties upon municipalities to furnish the Alberta Assessment Commission and the Supervisor of improvement districts with access to records and information.

Section 62 provides that nothing in the Act is to affect section 263 of The School Act, 1931.

Section 63 repeals the provisions set out in the Schedule, which are replaced by the provisions of this Act.

This Act came into force on April 8, 1938.

TAX RECOVERY ACT, 1938 (Chapter 82). This Act amends and consolidates The Tax Recovery Act, 1929, which is repealed.

The more important changes made are as noted below:

Provision is made in section 3 for a reporting authority to collect reported taxes with the permission of the treasurer of the municipality.

Subsection (2) of section 5 provides that every dealing with land subject to a tax recovery notification is void unless approved by the treasurer of the municipality.

Subsection (5) of section 6 gives the municipality a charge upon moneys payable under any fire insurance policy on buildings upon land subject to a tax recovery notification.

Subsection (5) of section 9 makes it an express condition of the offering for sale by auction of any parcel by any municipality except a city, that any sale effected thereat shall have no force or effect until approved by the Minister.

Subsection (4) of section 13 empowers the treasurer or his representative to inspect property subject to a tax recovery notification for the purpose of valuing the same.

By section 18 the enactment of a by-law is requisite before a municipality can sell by private sale any parcel not sold at the first public auction; and provision is made for the sale of a portion of a parcel liable to expropriation.

Section 21 provides that upon the payment of all arrears of taxes and costs payable in respect of a parcel which has been finally acquired by a municipality and has not been previously disposed of, in case such payment is made by a person who was the owner or purchaser thereof at the time of final acquisition or the personal representative, son, daughter, widow or widower of such person, the treasurer shall, subject to the approval of the Minister, issue a new transfer to such person for the estate or interest of the municipality therein; and in case such payment is made by any other person, the treasurer shall notify the Registrar of Land Titles, who shall cancel the certificate of title issued to the municipality and revive the previous certificate of title, which shall be subject to the same encumbrances to which it would have been subject if no certificate of title had been issued to the municipality.

Section 22 provides for the giving of notices of the sale of any parcel by the Registrar of Land Titles to persons interested therein before proceeding to the registration of the transfer of the parcel.

Provision is made for the continuation of proceedings under The Tax Recovery Act, 1929, the continuation of The Tax Recovery Act as to proceedings commenced thereunder; and for the continuation of The Tax Recovery Act, 1922, as regards the cities of Calgary, Edmonton and Medicine Hat.

This Act came into force on March 31, 1938.

LOCAL TAX ARREARS CONSOLIDATION ACT, 1935, AMENDMENT ACT, 1938 (Chapter 83). This Act amends section 3 of the

principal Act by striking out the words "prior to the first day of September in that year" and by empowering the Minister by order to make the Act applicable to any town, village or municipal district declining to pass a by-law permitting consolidation of arrears of taxes.

Section 4 of the Act is amended to modify the provisions as to consolidation after final acquisition by the municipality.

The remaining sections of the Act effect a number of minor amendments to sections 17, 18, 20, 25 and 26a of the principal Act and to the Schedule.

This Act came into force on April 8, 1938.

ALBERTA MUNICIPAL ASSESSMENT COMMISSION ACT AMENDMENT ACT, 1938 (Chapter 84). This Act makes provision for the appointment to the Board of Public Utility Commissioners whilst functioning as the Alberta Assessment Commission, of a person as a special member for the purpose of the execution of the powers and discharge of the duties of the Board by virtue of its appointment as The Alberta Assessment Commission.

This Act came into force on April 8th, 1938.

LOCAL AUTHORITIES BORROWING GUARANTEE ACT, 1937, AMENDMENT ACT, 1938 (Chapter 85). This Act extends the operation of The Local Authorities' Borrowings Guarantee Act to the 31st March, 1939, and extends its application to requisitions of school districts and school divisions.

The amount of the borrowings which may be guaranteed or of the loans which may be made to any district is restricted to the amount of the uncollected current taxes.

This Act came into force on April 8, 1938.

CONTROVERTED MUNICIPAL ELECTIONS ACT AMENDMENT ACT, 1938 (Chapter 86). Section 2 amends section 22 and makes provision for the person to be served with Notice of Proceedings in an election contest as well as the manner of service.

Section 3 empowers the Judge disposing of contested election proceedings to order the payment of the costs of such proceedings by the municipality in which the election was held in case he finds that the election is invalid by reason of misconduct on the part of the returning officer, deputy returning officer or any poll clerk.

This Act came into force on March 31, 1938.

UNEMPLOYMENT RELIEF ACT, 1933, CONTINUATION ACT, 1938 (Chapter 87). The amendment made by this Act continues The Unemployment Relief Act, 1933 in operation until the thirty-first day of March, 1939.

This Act came into force on March 31, 1938.

DOMESTIC ANIMALS ACT (MUNICIPALITIES) AMENDMENT ACT, 1938 (Chapter 88). This Act amends sections 14 and 15 of the principal Act by striking out the word "drive" wherever the same occurs therein and by substituting therefor the words "drive, take or lead."

Section 4 adds a proviso to section 31 of the principal Act permitting the release of some impounded animals provided sufficient are retained to answer the claims for damages, fees and charges.

This Act came into force on April 8th, 1938.

PUBLIC UTILITIES ACT, 1923, AMENDMENT ACT, 1938 (Chapter 89). By section 2 of this Act the divisional board of a school division is included in the definition of "local authority."

A new provision is added by section 3 to section 103 of the principal Act empowering the Board of Public Utility Commissioners to provide for the retirement of debentures of a school district included in a division and the issue of new debentures by the division in lieu thereof.

Section 4 continues in force until the 1st July, 1939, a number of temporary provisions.

This Act came into force on April 8th, 1938.

TREASURY DEPARTMENT ACT AMENDMENT ACT, 1938 (Chapter 90). This Act amends section 56 of the principal Act by substituting the words "any person" for the word "individual" where that word occurs in subsection (1).

This Act came into force on April 8th, 1938.

MINING INDUSTRY WAGES SECURITY ACT (Chapter 91). This Act requires every employer engaged in a designated industry to lodge with the Minister charged with the administration of the Act security for the payment of wages to his employees.

"Designated industry" is defined as meaning any mine, any quarry, any salt-mine or any works operated for the purpose

of processing salt or tar sands at or in the immediate vicinity of the place at which the salt or tar sands is mined, won or gotten, or any drilling operations which are carried on for the purpose of searching for natural gas or oil or salt; and "Mine" means a coal-mine.

Section 3 provides for the statement to be delivered to the Minister by employers; and section 4 prescribes the amount of security to be lodged by the employer, which amount is such as may be fixed by the Minister in case the preceding period during which the employer has been employing workmen is less than twelve months; and in other cases the amount of the highest monthly pay-roll for the preceding period of twelve months.

Section 5 empowers the Minister to require additional security at any time in any case in which he considers the security furnished is inadequate.

The security to be lodged by an employer is to consist of cash or a guarantee bond of a bonding company, or marketable bonds or securities approved by the Minister. (Section 6).

Sections 6 and 7 provide for the realization of securities in case default is made in payment of wages, and the payment out of the proceeds of, firstly, wages for thirty days preceding the default, secondly, the expenses of the Minister and thirdly if there is a balance, the payment thereof to the persons legally entitled thereto.

The Minister is authorized to issue to employers who have complied with the Act a certificate to that effect, which is made prima facie evidence of the statements contained therein (Section 9).

The Minister is empowered to order the cessation of operations by an employer who has not complied with the Act; and non-compliance with such order is made an offence punishable by a fine of one hundred dollars for each day during which the non-compliance continues.

Sections 11 and 12 prescribe penalties for non-compliance by employers of the requirements as to the delivery of statements under section 3 as to furnishing security.

Section 13 requires every employer to make a monthly return to the Minister as to whether or not he has paid wages in full on the last pay day; and default in complying with this requirement is declared to be an offence punishable by a fine and in default of payment to imprisonment.

Section 14 requires every employer who has complied with the Act to keep posted

up in a conspicuous place in the office at the place where the industry is carried on, a notice in such form as may be prescribed by the Minister to the effect that the employer has given security; that in case of default in payment of wages the Minister may apply the security in the payment of wages; and that in case of a default in payment of wages prompt notice should be given to the Minister thereof.

The Minister is empowered to deal with money in his hands by way of security or on account of securities held by him, in the rateable payment of the wages to which the same relates.

Provision is made for the repeal of The Coal Miners' Wages Security Act.

Section 3 came into force on the 8th day of April, 1938, the remainder of the Act comes into force on proclamation.

SPECIAL AREAS ACT, 1938 (Chapter 92). This Act provides for the constitution by Order in Council of Special Areas in that part of the Province lying west of the easterly boundary of the Province and south and east of lines running west between townships 38 and 39 to range 21, then south on range line between ranges 20 and 21 to township 22, then west along township line between townships 22 and 23.

The Special Areas now in existence are continued as Special Areas.

The Lieutenant Governor in Council is empowered to appoint a Board of not more than three members; to make Orders and Regulations for the administration of Special Areas; to provide for measures of rehabilitation and betterment; to provide for the compromise of arrears of taxes, rentals and other charges on land in a Special Area; and to establish pound districts in any part of a municipal district included therein. (Section 3).

The Minister of Lands and Mines is vested with the powers necessary for the administration of a Special Area which are set out in detail in section 4.

Section 5 transfers to the Minister of Municipal Affairs lands in a Special area vested in any municipality.

Section 6 authorizes the Government officials to enter and occupy land in a Special Area for the purpose of carrying out certain rehabilitation measures, and empowers the Minister to allow compensation for rights or property which are detrimentally affected.

Section 7 empowers the Board to carry out any duty or power delegated by the

Minister to the Board and further provides for the constitution of Advisory Committees with the function of conferring with and advising the Board as to matters affecting the Special Areas for which the same are constituted.

Section 8 prohibits the disposition of public lands in a Special Area by sale, lease or otherwise, without the consent of the Minister.

Section 9 provides for the disposition of revenues derived from public lands in a Special Area.

Lands in a Special Area vested in the trustees of Irrigated Districts may be designated as public lands. (Section 10).

Section 20 makes provision for the collection of grazing charges and creates a lien in favour of the Crown upon animals grazed on lands which are public lands or upon leased land or community pastures.

The remaining sections make a number of provisions as to details of administration.

This Act came into force on April 8, 1938.

COAL MINES REGULATION ACT AMENDMENT ACT, 1938 (Chapter 93). This Act amends section 13 of The Coalmines Regulation Act, which provides that where the amount of wages depends on the amount of mineral gotten, such person shall be paid according to the weight or admeasurement of the mineral gotten, the weighing to be done as near the mine entrance as reasonably possible or the measurement to be made at the working face. The new section provides that unless it is expressly provided to the contrary by an agreement, when the amount of wages paid depends on the amount of mineral gotten, payment shall be made according to the weight thereof, the mineral to be weighed at a place as near the mine entrance as reasonably possible.

Provision is made that where the conditions are such that the minerals from any individual place cannot be weighed separately and where the production from a number of working places are taken from one central loading point or chute, the total tonnage is to be weighed and a pro rata distribution made to the workmen engaged in the getting thereof in accordance with the extraction made from each individual working place and such pro rata distribution shall be determined by measurement.

Section 15 of the principal Act is amended by empowering the Minister, upon being satisfied that special circumstances prevail

in the working of any mine or of any class of mines by reason of which the provisions of section 13 cannot conveniently be made applicable thereto, to exempt such mine or class of mines from the provisions of section 13 either unconditionally or subject to conditions and either for a specified period or until further order.

This Act came into force on August 1, 1938.

PROVINCIAL LANDS ACT AMENDMENT ACT, 1938 (Chapter 94). Section 43 of the principal Act is amended by striking out the proviso thereto relating to interest on instalments of the purchase price of subdivided school lands.

Section 3 permits the issuance of permits, with the approval of the Lieutenant Governor in Council, for the cutting of timber to Departments of the Provincial Government where the timber is to be used on a public work or for the cutting of timber in connection with relief measures.

The amendments made by section 4 amend the provisions as to appeal in the case of the forfeiture of licenses or permits by the Minister, by doing away with appeals.

Section 5 makes provision requiring the holders of licenses and permits for cutting timber in excess of 50,000 feet board measure to satisfy the Minister that they have complied with the provisions of The Workmen's Compensation Act, and making such a compliance a condition of every such license or permit.

Section 6 extends the application of section 77 of the principal Act which prohibits members of the permanent staff of the Civil Service of the Province from acquiring Provincial Lands to all members of the Civil Service whether permanent or temporary.

Section 7 relates to the recovery by distress of rents, royalties and dues, and in the case of rents, royalties and dues in respect of minerals the distress may be made on any property found on any land used in connection with the mining operations owned by the person liable for the payments; and in other cases distress may be made upon all goods and chattels found on any land owned, occupied by or controlled by the person liable for the payment of the rent in respect of which the distress is levied.

This Act came into force on March 31, 1938.

WATER RESOURCES ACT AMENDMENT ACT, 1938 (Chapter 95). The amendment made by this Act relates to the liability for

damages caused by water where water is stored on or conveyed over land by means of works constructed, maintained or operated under The Prairie Farm Rehabilitation Act or The Water Resources Act, or both, and such works are not constructed, maintained or operated by the owner of the land.

The registered owner of the land and persons claiming by, through or under him, are relieved from liability for damages so caused unless such damage is caused by the act or default of such owner or other persons or their respective agents and servants.

This Act came into force on March 31, 1938.

LEGISLATIVE ASSEMBLY ACT AMENDMENT ACT, 1938 (Chapter 96). This Act provides that an allowance of Two Thousand Dollars shall be payable to each member of the Legislative Assembly in attendance at the Sixth Session thereof who has attended sittings of the Assembly or meetings of committees on at least ten sitting days.

This Act came into force on April 8th, 1938.

ALBERTA ARCHITECTS' ACT, 1938 (Chapter 97). This Act amends and consolidates The Alberta Architects' Act, and reproduces in a revised form the substance of the last mentioned Act and makes a number of amendments for the purpose of bringing that Act up to date and clarifying it.

This Act came into force on March 31, 1938.

PHARMACEUTICAL ASSOCIATION ACT AMENDMENT ACT, 1938 (Chapter 98). This Act amends section 29 of the principal Act so as to prohibit the sale by unauthorized persons of alpha eucaine, beta ecuaine, barbituric acid, their salts and derivatives, and codeine and its salts, and preparations containing para-amin-obenzenesulphanamide. The section is not applicable to acid acetysalicylic and its salts.

New section 29a provides restrictions for the sale of codeine.

All metallic cyanides are included with potassium cyanide in the poisons list.

This Act came into force on March 31st, 1938.

FORT SASKATCHEWAN HOSPITAL FUND ACT AMENDMENT ACT, 1938 (Chapter 99). This Act authorizes the trustees of the Fort Saskatchewan Hospital Fund to invest the principal of the fund in

bonds of the Town of Fort Saskatchewan and also empowers the trustees to pay over the fund or any part of it to the Town of Fort Saskatchewan for any purpose set out in a by-law of the town for the improvement or welfare of the Town and its vicinity or the improvement of the social or educational facilities thereof.

This Act came into force on March 31, 1938.

Digitized by the Internet Archive
in 2022 with funding from
Legislative Assembly of Alberta - Alberta Legislature Library